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THE

LANGUAGE QUESTION

IN THE

RANGE RIVER COLONY,

1902 - 1910,

Including certain Papers and Correspondence connected
therewith),

BY

HUGH GUNN, M.A.

(Late Director of Education of the
Orange River Colony).

PRICE ONE SHILLING.

JOHANNESBURG :
Argus Printing and Publishing Company, Limited.

1910.



July 25
Sir John Wessels
with Hugh Gunn
578/10

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PREFATORY NOTE.

Since I severed my connection with the Education Department of the Orange River Colony on the 6th April last, numerous requests have been addressed to me, both by the Press and by persons interested in education, to publish a statement regarding the language difficulties that exist in that Colony and the causes that have led up to them. I have been at liberty to do so without any breach of official etiquette, as Mr. Fischer, then Prime Minister of the Orange River Colony, in reply to a communication in which I took exception to certain answers given by the Attorney-General to questions put to him in the House of Assembly, suggested, on the 31st March, that I might anticipate by a few days the proposed date of my relinquishing office, as "this," he said, "would give you freedom to do whatever you might consider necessary in your own interests untrammelled by the rules of the Service."

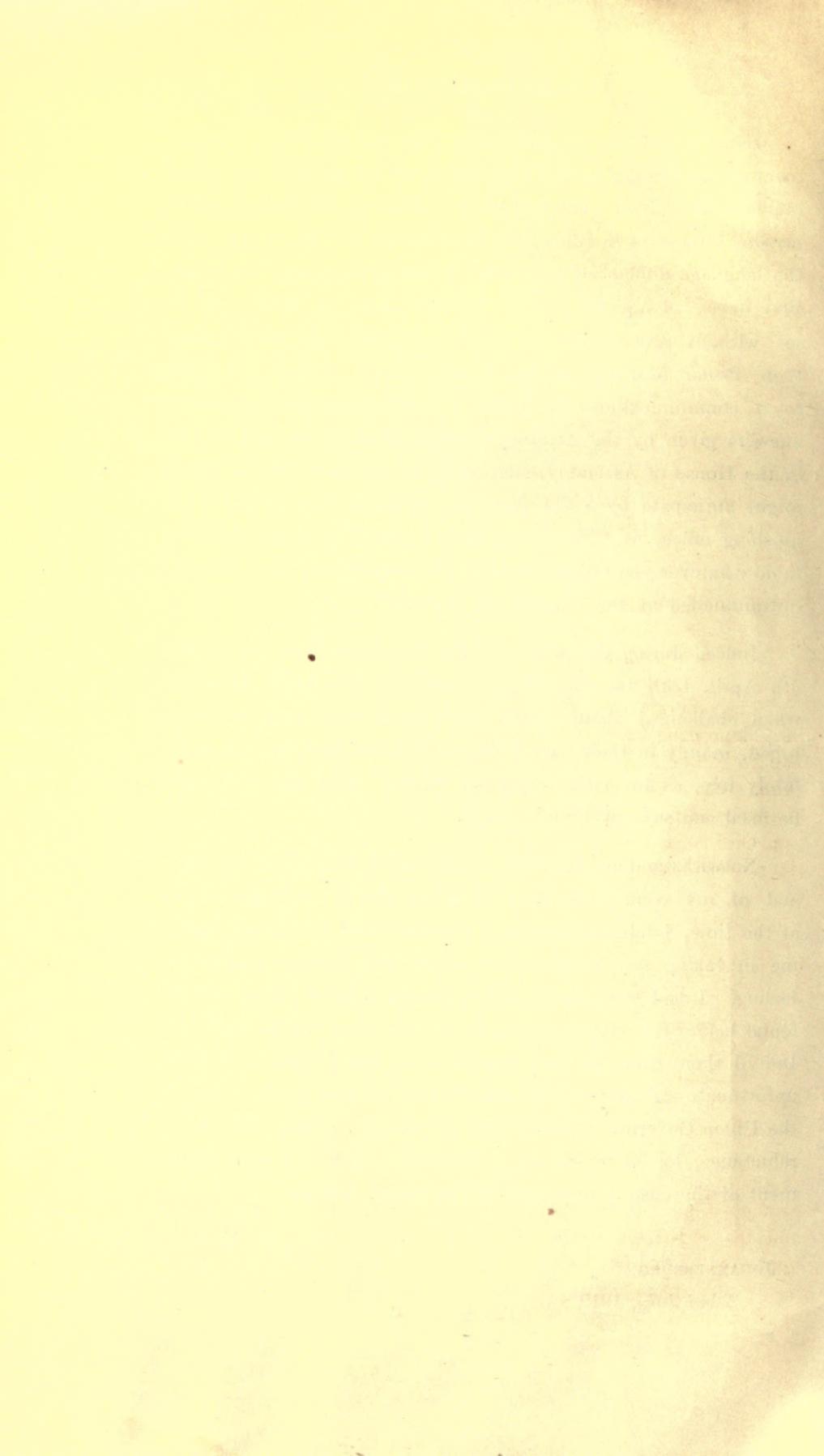
Indeed during the debate in the House of Assembly on the 5th April, both the Attorney-General and the Prime Minister, when challenged about certain documents that were withheld, urged, mainly in their own defence, that the Director was absolutely free, as the latter expressed it, to "write any document he liked and say anything he liked."

Notwithstanding, however, the distorted view of the situation and of my connection with it which was given to the public at the time, I felt that personal considerations would not justify me in taking any steps which might still further accentuate feeling. I had some hope that a *modus vivendi* might still be found before the advent of Union, but the hope was not realised. Indeed there does not now appear to be much chance of these unfortunate difficulties being removed in the near future even by the Union Government, and I am accordingly, though with much reluctance, forced to the conclusion that a full and clear statement of the case is necessary in the public interest.

H. G.

JOHANNESBURG,

22nd July, 1910.



PART 1.

THE LANGUAGE QUESTION IN THE ORANGE RIVER COLONY.

In order that the language question in the Orange River Colony may be clearly understood, it is necessary to trace briefly its history since the conclusion of hostilities. In the Terms of Surrender (31st May, 1902) part of the fifth clause reads as follows: —

“ The Dutch language shall be taught in the Public Schools Terms of Surrender. of the Transvaal and the Orange River Colony, when the parents of the children demand it.”

The energies of the authorities were so fully occupied in making educational provision of some kind for the children who had to return from the Concentration Camps to the towns and farms, that it was not until June, 1903—a year after Peace—that questions of policy were definitely dealt with, and that an Education Ordinance became law in the Orange River Colony. Among the provisions of that law is one (Section 6) which enacted that:—

“ Any scholar shall at the request of his parent or guardian Education Ord. 1903. receive instruction in the Dutch language for three hours a week.”

It was also provided (Section 5) that Bible history, or alternatively, under certain conditions, denominational religious instruction should be given for periods not exceeding two hours per week. In regard to the former, the instruction might be given in the Dutch language, and as regards the latter, if specific religious instruction were not requested, the time might be devoted to additional secular instruction in the Dutch language. The law also provided for the appointment of local School Committees, and one of the defined duties of these Committees, which were appointed in August, 1903, was “ to receive complaints of parents as to alleged inefficiency of the teaching of the Dutch language or of any other subject ” (23b).

The Synod of the Dutch Reformed Church had in the meantime been in communication with the Government in regard to the question of education, but a definite settlement was not arrived at. A largely-signed petition dated September, 1903, was thereafter presented to the Lieutenant-Governor, which contained three requests. One dealt with the question of the powers of School Committees, one with denominational religious instruction, and the third read as follows:—

“ That at least five hours per week shall be devoted in all schools to the teaching of the Dutch language, which is the language of a very large majority of the population of this Colony.”

To this part of the petition the Lieutenant-Governor, Sir Hamilton Goold-Adams, replied on the 11th November, 1903, as follows:—

“ Apart from the general advantage which will accrue from the English language being the medium of instruction for the children of white parents, now that this State has become a part of the British Empire, the Government have felt it their duty to such children individually to provide them with the education which is most likely to be of use to them when they reach maturer years. The English language, if not the commercial language of every part of the world, is most certainly that of South Africa, and consequently a thorough knowledge of it is of the first importance to the rising generation of this Colony. For these reasons, if for no others, English has been adopted and must be retained as the principal medium of teaching. Whilst, however, laying the very greatest stress upon a sound linguistic training in English, the Government recognise fully that there are many parents who desire that their children should acquire a competent knowledge of the Dutch language.

“ To meet this desire on the part of parents, the Government as will be seen from the present Ordinance, have set apart three hours a week for instruction in Dutch and have allotted two hours in addition to instruction in Bible history in Dutch whenever either or both such kinds of instruction are called for by parents on behalf of their children. The syllabus in the Dutch

language is the same as in the English, except that somewhat more attention is paid to the grammar of the former in the upper standards.

" Since instruction in Bible history necessarily includes close attention to the actual words of the Bible, many parents will consider that this is one of the best lessons in High Dutch for their children, and will rest satisfied that in reality five hours a week may be devoted to the study of that language under the Ordinance. But to gratify the desire of those fathers and mothers who ask for longer hours for instruction in the language as spoken and written in Holland at the present day, the law provides that, instead of the two hours of Bible teaching, an additional two hours (making five hours in all) may be spent in formal instruction in the Dutch language. This alternative is especially applicable to the case of scholars who have reached the standards of Biblical knowledge required for confirmation, and are destined for one or other of the learned professions.

" In all the circumstances I think it is clear that the Government has gone as far as can reasonably be expected in meeting the wishes of the petitioners in this respect, and I cannot hold out hopes of any further increase in the hours to be devoted to the teaching of Dutch."

After receiving the reply of the Lieutenant-Governor, which C.N. Schools they did not consider satisfactory, the Dutch Reformed Church decided to start opposition schools in a considerable number of places in the Colony, and the first steps in this direction were taken at the beginning of 1904. Before this movement, however, was put into effect by the Church, there was a great deal of public discussion as to the merits of the differences that existed. Strangely enough, as far as language was concerned, the question of medium played hardly any part in the controversy, the main issue being concerned with the amount of time per week which should be devoted to the study of the language. The Dutch Reformed Church and its supporters maintained that the limitation or restriction of the time to be devoted to the teaching of Dutch to three hours per week was an indication of unfriendliness if not of antipathy on the part of the Government towards their language, and was calculated to affect the efficiency of the manner in which it would be taught in the schools. They also maintained

that three hours a week were not sufficient to produce adequate results in the teaching of the language. The Government, on the other hand, had, as a matter of fact, made the time conditions so specific largely in order that such a charge could not be levelled against them. There was of course no form of popular Government in the Colony at the time, and they had accordingly to fall back on the experience and practice of the Cape Colony—a State which in almost every respect resembled the new Colony and which had enjoyed Responsible Government for more than a quarter of a century. There the question of language teaching was left in the hands of the School Committees, and it was almost universally the practice to give in the case of Dutch as a language, as in the case of English, one lesson a day, amounting on the average to about $2\frac{1}{2}$ or 3 hours per week. Every other subject was taught through the medium of English, except Bible history, which was also generally taught through English. Indeed in two of the leading high schools in the Western Province of the Cape Colony, to which parents who were dissatisfied with the time devoted to Dutch in the Orange River Colony, sent their boys and girls, the actual time devoted to the teaching of the Dutch language was 3 hours and $1\frac{1}{2}$ hours per week respectively, the medium of instruction being entirely English.

**Education Code
and Mr. Sargant's State-
ment.**

In the Code of Regulations issued by the Education Department in December, 1903, the syllabuses of instruction for English and Dutch were identical, and Mr. Sargant on the 13th January, 1904—a fortnight or so before relinquishing office as Director—made a public statement to the effect that

“ It cannot be too clearly understood that the time which
“ the Education Department expects that Headmasters
“ should give to the Dutch and English languages is the
“ same.”

Indeed shortly before then, in addressing a conference of teachers at Bloemfontein, Mr. Sargant made the following statement, which was reported in the Press at the time:—

“ Our aim is a purely educational aim, and if we fail in
“ that aim, we are quite willing to adopt new and better
“ means to secure the end in view. I should like to take
“ as an illustration of this the teaching of the Dutch
“ language, which, it has been asserted in certain quar-
“ ters, the Education Department is trying to suppress.
“ Well, if the scholars in Government schools who take up

“ Dutch in the various examinations conducted by the
 “ Cape University do worse in that subject than they do
 “ in the other subjects of instruction, I will recommend
 “ to Government that the hours of instruction in the
 “ Dutch language should be increased. If, on the other
 “ hand, they do better in Dutch than in other subjects,
 “ and do better also than the generality of candidates in
 “ the examinations who enter from Cape Colony, I ex-
 “ pect that those who now suggest that we are trying to
 “ Burke the language will acknowledge the error of their
 “ statements.”

The test was applied within the following month when the examination results were issued, and it was found that the average marks of candidates were considerably higher in Dutch than in English, and the same was found to be the case in the following year. The explanation of this result given by the opponents of the Ordinance was that the standard for Dutch was lower than for English. In reply to this it has to be pointed out that the University of the Cape left the standard practically in the hands of the Dutch Examiners. As a matter of fact the Dutch language was very efficiently taught, more so indeed than under the Free State, as the additional teachers who were imported allowed the Department to appoint many of the best Dutch speaking teachers as special teachers of the language. The terms of the law were also liberally interpreted, and Principals were in this matter, as in the general control of their schools, clearly led to understand by the general instructions of the Department, that they were to use considerable discretion, and adapt the curriculum to the special circumstances of the locality. While the Terms of Surrender and the Education Ordinance might be held to imply that Dutch would be taught only when the parents demanded it—which was another grievance and cause of offence to many—the actual practice of the staff was to assume that all children took both languages unless exemption was claimed. Indeed Mr. Sargent, towards the end of 1903 remarked, after a tour which he made through the Orange River Colony, that in a typical town school of about 200 boys and girls there were usually not more than 30 or 40 whose parents did not wish them to take Dutch. Though Mr. Sargent did not say so, almost all of the 30 or 40 were girls.

Indeed, to show the liberal manner in which the Act was interpreted, the writer in 1903 granted exemption from the learning of English in special cases which were brought to his notice—cases of grown-up pupils who could attend school for only a few

Marks in Dutch
and English.

months, and who he felt should devote the short time at their disposal to learning to read and write the language which they spoke. In the same year too, advertisements were inserted in the local papers inviting all former teachers of the Free State who were not employed, to apply to the Department, and some time later the advertisements were repeated.

Refutation of
Misstatements.

These facts have been stated at some length, as grave misstatements have frequently been made and erroneous impressions created during the past two years by politicians in responsible positions regarding the policy and the administration of education under Crown Colony Government.

This sketch brings the history of the question up to the beginning of 1904. By the middle of that year half a dozen opposition schools were opened by the Dutch Reformed Church in the larger centres, and by the end of the year the number was considerably increased. It is needless to say that during this unfortunate campaign much bitter feeling was created, that local enmities, racial and political, were engendered, and that most unjust and despicable charges were brought against individual teachers. The wiser elements of the population of both races, however, recognised, as the Government recognised, that this division was bound to prove detrimental to the cause of education, and to lead to an embitterment of feeling between the Government and a large section of the people. Friendly negotiations were accordingly opened between the Department and the Moderator of the Dutch Reformed Church. On the 23rd September, 1904, the Rev. Mr. Jacques, of Winburg, with the full cognisance and approval of the Rev. Mr. Marquard, the Moderator of the Dutch Reformed Church, wrote to Mr. Gunn inaking suggestions for a settlement of the differences. These suggestions were concerned mainly with the constitution and power of Committees, but he made the following statement in his communication:—

“ Re the teaching of Dutch.—This to continue as at present: the system has commended itself to all moderate men and is proving eminently satisfactory.”

Three days later the Moderator of the Dutch Reformed Church himself wrote a semi-official letter to Mr. Gunn, in which he said:—

“ Is it true that the Government are contemplating the remodelling of the constitution and powers of School

Opening of
Negotiations
with the
Moderator.

“ Committees? I sincerely trust the rumours we hear are true. In case my information be correct, may I ask whether it would not be possible to have a conference on the matter? The difference between the Dutch Church people and the Government is so small, “ that it ought to be possible to remove it.”

In that letter he put forward proposals regarding the powers of Committees, and the appointment and dismissal of teachers, but made no reference to the question of language. Subsequently, in the course of the correspondence leading up to the conference, he asked that the question of language, as raised in the petition of the Church, should not be excluded from discussion, and this was eventually agreed to. Mr. Marquard, however, informed officials of the Department that he laid no stress upon and was prepared to waive the question of Dutch if Committees received more extended powers. During the negotiations Mr. Marquard died, his wise counsel and moderate views being greatly missed not only by his Church but by the Colony as a whole. The conference was however held, and it was presided over by the Lieutenant-Governor, Sir Hamilton Goold-Adams. In addition to the Lieutenant-Governor and the Director of Education, it consisted of nine delegates representing the Dutch Reformed Church and other sections of the people, and included General J. B. M. Hertzog, General C. R. de Wet and Mr. C. H. Wessels, all three of whom subsequently became Ministers under Responsible Government. The Conference met on the 15-17th March, 1905, and arrived at an agreement, which was signed by all the delegates, and which led to the amalgamation of practically all the Christian National (opposition) schools with the Government schools. It is not proposed to go into detail regarding this important event in the history of the Colony, but it was agreed that the provisions of the *Concordat* should be embodied in an Ordinance and become the Law of the Colony. This was done and the Ordinance, after first being published for general information, passed the Legislative Council on the 15th July, 1905.

It will be remembered that, in the petition presented to the Government, the request as regards Dutch was that at least five hours per week should be devoted to its teaching as a language. The section in the Agreement (No. 16) which deals with it, reads as follows:—

“ English shall be the medium of instruction in schools, “ but the time devoted to the teaching of English and “ Dutch, as languages, shall be the same.”

Amalgamation Agreement.

Education Ord. 1905.

In the Education Ordinance of 1905 the necessary alteration was made in the language clause of the 1903 Ordinance, and the provisions were expressed as follows:—

“ Chapter XI. Dutch and English Languages.

“ 53. Any scholar shall at the request of his parent or guardian receive instruction in the Dutch language.

“ 54. English shall be the medium of instruction in schools but the time devoted to the teaching of English and Dutch, as languages, shall be the same.”

In other words the limitation “ for 3 hours a week ” in the language clause of the old Ordinance was deleted, and in its place was substituted the new section (54) agreed upon at the Amalgamation Conference.

This Act—the Education Ordinance of 1905—was the main Act which determined the educational system of the Crown Colony Government. It continued in operation for a period of over three years, from August, 1905, until November, 1908, when the School Act passed by Responsible Government took its place. It is a pleasure to be able to record that during that period the administration of the Department in all its branches of activity was conspicuously free from friction. Indeed, one of the oldest systems in Europe—that of Scotland, with which the writer has had considerable personal experience—could not boast of greater harmony and co-operation between the Central and the Local Authorities than existed then in the O.R.C. That the people in general were satisfied may be gathered from the fact that the attendance increased rapidly each year and that there were over 200 applications for new schools which the Government could not grant owing to want of funds. This happy result may doubtless have been due in large measure to the fact that the Committees under the new Law, who entered upon their duties in October, 1905, were elected, as regards five out of nine of them, by an electorate which to all practical purposes was based on “ Manhood Suffrage,” and that the remaining four who were nominated by the Government before the elections took place, were men known to be interested in education. After these Committees had been at work for six months, a conference of two delegates from each of the 26 districts into which the Colony was divided was called at Bloemfontein for the purpose of discussing openly and frankly the requirements of the Colony as regards education. Their deliberations resulted in the passing of a number of resolu-

tions covering questions of policy and of administration, but it has to be noted that no sign of grievance as regards language was shown at the meetings (24-25th April, 1906). One of the delegates at that Conference subsequently became a Minister under Responsible Government, so that out of the five Ministers four participated either in the Agreement or in the working of the Ordinance which was based on it.

The writer has also pleasure in testifying to the scrupulous ^{D.R. Church.} manner in which the Dutch Reformed Church adhered to the spirit as well as to the letter of the Agreement, and to the sympathetic assistance which it rendered to the Department throughout this period.

In view of subsequent events it may, however, be mentioned ^{Objections.} that two notes of opposition were sounded during 1905. The Reformed (Gereformeerde or Dopper) Church was invited to send a delegate to the Conference in March, but did not find it convenient to do so. On the 4th April the Rev. W. Postma and two other clergymen addressed a letter to the Director in which ^{Reformed Church.} they stated that they were appointed as a Commission of the Church to consider the agreement arrived at between the Government and the delegates. They found that they could not agree with its provisions or advise their Church to co-operate, because, *inter alia*, the rights of parents were not satisfactorily acknowledged in regard to the medium of instruction.

The other objection was raised by General Hertzog, a signatory to the Agreement. In November, 1905, he stated in a public speech that he understood in the Agreement negotiations that Dutch would be taught to every child unless the contrary were asked, but that in the Education Ordinance this provision was inverted, Dutch being taught only if asked for. ^{Gen. Hertzog.}

No public or private indication was given that any other member of the Conference understood what General Hertzog did. As already pointed out the only demand as regards Dutch put forward in the petition of the Church was that five hours instead of three should be devoted to its study.

Responsible Government was granted to the Colony in June, 1907, and the elections took place in October. In his report for that year, dated the 1st October, the Director gave a sketch of the policy and the work of the Education Department during the Crown Colony regime, and it may be consulted by anyone interested in the question. There is one point, however, referred to ^{Responsible Government.}

therein of which note should be taken, as it is of considerable importance in connection with subsequent events. The Director drew attention to the misconception which existed in regard to the number of teachers imported from the British Isles, and stated that out of a total number of about 650 teachers in the service, only about 180 teachers were from Great Britain, and of these, a number had been appointed on the initiative of the School Committees. In other words, on the advent of Responsible Government the number of teachers from Great Britain was proportionately little, if any, in excess of the number of British people in the Colony, and that too notwithstanding the exceptional conditions which demanded the importation of qualified teachers at the time.

School Act 1908. When the new Government came into power, the Attorney-General (General Herzog) was appointed Minister in charge of Education, there being no special portfolio for that Department. He immediately proceeded to draft a new Education Bill, and it was published for general information on the 15th April, 1908. It differed from the 1905 Act mainly in regard to the provisions dealing with language, local authorities, and school fees. The former question alone is being dealt with at present. It may, however, be stated that the new provisions for School Boards and Committees were less liberal as regards representation than those which they replaced, and that they were exceedingly cumbersome and difficult to put into operation. The clauses dealing with school fees have also led to much trouble and little financial result. These portions of the Act, however, did not, except in one or two respects, raise any question of deep political or national importance. Most of the strife was engendered by the language proposals, which read as follows:—

“ Equal Treatment of English and Dutch Language.

Draft Language Clauses. 14. It shall be the duty of the principal teacher of each primary or secondary Public School to provide for and enforce the equal treatment as much as possible of the English and Dutch language in such school in order to ensure the proficiency of the children in each of these languages.

Medium of Instruction.

“ 15. (1) Save and except in the teaching of any foreign language English and Dutch shall be the sole and equal mediums of instruction in every public school and save as provided in sub-section (2) hereof every child up to

and including Standard 4 shall be instructed in every subject through the language best spoken and understood by such child as the principal medium of instruction for such child, and the language which is not the principal medium of instruction for such child shall by gradual increase and as much as is consistent with the age and intelligence of such child be used and resorted to as a subsidiary medium;

- (2) Where and whenever any class is composed partly of English and partly of Dutch speaking children the principal medium of instruction of such class shall be decided upon from year to year for such class by an absolute majority of the School Committee or managing body of the school provided that
 - (a) the School Committee or managing body shall be bound in so deciding to give due weight to the number of children in each class conversant with the one or the other of the two languages, so that as far as possible the principal medium of instruction shall be that which is the language of the majority of the class;
 - (b) the language which is not the principal medium of instruction of such class shall as much as possible be simultaneously used and resorted to as a subsidiary medium in the manner best calculated to give effect to the provisions of sub-section (1) hereof relative to each child receiving instruction through the medium of his own language.
 - (c) the teaching of the English or Dutch language as a language shall be through the medium of the language which is the subject of instruction.
 - (d) from and above Standard IV. both English and Dutch shall be taught as languages to every child and no child shall be promoted to any higher standard unless he shall show satisfactory progress in reading and writing in both these languages.

“ 16. After Standard 4 and up to and including the Matriculation Examination or any examination equivalent thereto now or hereafter to be established the minimum number of principal subjects taught in the English and the minimum number of principal subjects taught in the Dutch language shall be three and subject to the foregoing the number of principal subjects to be so taught

in the one and in the other language as also the particular principal subjects to be so taught shall be decided upon and fixed from year to year by each School Committee for each of its school standards provided that

(1) principal subjects shall mean

(a) for Standards 5 and 6

- 1. English
- 2. Dutch.
- 3. History
- 4. Geography
- 5. Latin
- 6. Arithmetic
- 7. Algebra
- 8. Geometry.

(b) for every higher Standard or Class up to and including Matriculation

- 1. English
- 2. Dutch
- 3. Latin
- 4. Physical Science
- 5. Mathematics
- 6. Greek or History.

provided that the Minister may at any time for the purpose of creating a new or special course of instruction or of establishing any examination different from any examination at present existing delete any of the above named principal subjects save and except English and Dutch and substitute in the place thereof any new and special subject or subjects as principal subjects.

(2) in the teaching of all other subjects not immediately connected with or forming part of any principal subject Dutch and English shall as far as possible be equally used as principal mediums of instruction; provided further that for and during the first three years after the taking effect of this Act the Minister may exclude from the provisions of this section any school class or institution which owing to the lack of competent teachers is unable to comply with the same."

In the House of Assembly the Minister declined to accept any alteration or modification of these clauses, notwithstanding a strong desire among his own party that the question of medium should be left in the hands of parents, but in the Legislative Council, where the voting power of parties was at the time doubtful, he agreed to discuss the question with a Committee.

Besides other requests, the Opposition asked that English-speaking children should be taught through the medium of English, and a compromise or Agreement on these lines was arrived at, which the Attorney-General was understood to embody in certain alterations which he proposed making in his Bill. It may be stated at this stage that one of the Committee, Col. J. J. Byron, after the amended clauses had been interpreted at a later date, charged the Minister in the Legislative Council with a distinct breach of faith as to the understanding arrived at. It turned out that the English-speaking children would receive instruction through their own language, but only for part of the time devoted to each lesson. For the rest of the time they had to listen to the same lesson being repeated in Dutch.

The clauses as finally amended and approved read as follows :—

“ Equal Treatment of English and Dutch Language.

14. It shall be the duty of the principal teacher of each primary or secondary Public School to provide for and enforce the equal treatment as much as possible of the English and Dutch language in such school in order to ensure the proficiency of the children in each of these languages.

Medium of Instruction.

“ 15. (1) Save and except in the teaching of any foreign language English and Dutch shall be the sole and equal mediums of instruction in every public school and every child up to and including Standard IV. shall be instructed in every subject through the language best spoken and understood by such child as the medium of instruction for such child, and the language which is not the medium of instruction for such child shall by gradual increase and as much as is consistent with the age and intelligence of such child be resorted to and used.

(2) Where and whenever any class is composed partly of English and partly of Dutch speaking children both English and Dutch shall as far as possible be equal mediums of instruction for such class.

(3) (a) After Standard III. both English and Dutch shall be taught as languages to every child; provided that whenever a parent shall require in writing that his child be

Compromise
with Committee

exempted from the operation of this sub-section and shall show to the satisfaction of the Director that either because of such child's state of health or of the temporary nature of his residence in South Africa, or because of any other adequate reason of a like nature it will be to the advantage of such child that he be exempted from learning the one or the other of the two languages, the Director shall grant such exemption.

(b) the teaching of the English or Dutch language as a language shall be through the medium of the language which is the subject of instruction.

" 16. After Standard IV. and up to and including the Matriculation Examination or any examination equivalent thereto now or hereafter to be established the minimum number of principal subjects taught through English as medium and the minimum number of principal subjects taught through Dutch as medium shall as far as possible be three and subject to the foregoing the number of principal subjects to be so taught in the one and in the other language as also the particular principal subjects to be so taught shall be decided upon and fixed from year to year by each School Committee for each of its school standards provided that

(1) principal subjects shall mean

(a) for Standards V. and VI.

- 1. English
- 2. Dutch
- 3. History
- 4. Geography
- 5. Latin
- 6. Arithmetic
- 7. Algebra
- 8. Geometry.

(b) for every higher Standard or Class up to and including Matriculation

- 1. English
- 2. Dutch
- 3. Latin
- 4. Physical Science
- 5. Mathematics
- 6. Greek or History.

provided that the Director with the approval of the Minister may at any time for the purpose of creating a new or special course of instruction or of establishing any examination different from any examination at present existing delete any of the above

named principal subjects save and except English and Dutch and substitute in the place thereof any new and special subject or subjects as principal subjects; and provided that except in the teaching of English and Dutch the language which is not used as the medium of instruction of any subject shall as far as possible be used as an additional medium of instruction for every such subject.

- (2) in the teaching of all other subjects not immediately connected with or forming part of any principal subject Dutch and English shall as far as possible be equally used as mediums of instruction;
- (3) during the first three years after the taking effect of this Act the Director shall have the right to exclude from the operation of the provisions of this section any child whose parents require in writing that such shall be done; provided that after the termination of the said period of three years whenever a parent shall require in writing that his child be exempted from the operation of this section and shall show to the satisfaction of the Director that because of the temporary nature of his residence in South Africa or because of any other adequate reason it will be to the advantage of such child that he be exempted from receiving instruction through the medium of the language which is not his own and provided the necessary facilities for receiving instruction in all subjects through his own language exist at such school, the Director shall grant such exemption."

These language provisions were deliberately adopted by the Minister with full knowledge and after consideration of the agreement arrived at in 1905, to which he was a signatory, as well as of the provisions adopted in the preceding year by both parties in the Transvaal Parliament.

In view of the public assertions made by the Minister that the Director was in agreement with him in regard to this and other questions of policy, it is now permissible and necessary for the writer to state that, while he gave him his utmost assistance, he strongly advised the Minister against their adoption on both educational and administrative grounds. Indeed he actually submitted to him an alternative scheme after the other was privately printed. He proposed, as regards the English and Dutch languages, and the Medium of Instruction, that every public or State-aided school should make

Director's
Proposals re
Language.

adequate provision for the teaching of the English and Dutch languages, and that the time to be devoted to the teaching of English and Dutch, as languages, should, as far as possible, be the same; that all pupils who pass through the ordinary curriculum should receive instruction in both the English and Dutch languages, unless their parents or guardians specially request that they be exempted from instruction in either of these languages; and that every public or State-aided school should make provision for the teaching of Bible History, South African History and the Dutch language through the medium of Dutch, the medium in the other subjects being English, except in so far as it might be found expedient to use Dutch as an auxiliary medium.

These proposals were, however, not adopted by the Minister.

New Law takes effect.

The law came into effect on the 1st November, 1908. Its provisions were put into operation only very gradually and with every endeavour to prevent friction or hardship. It soon, however, became apparent that much exception was being taken to the limitations under which exemption from learning the Dutch language would be granted, to the compulsory dual medium, and to the time at which a beginning should be made with learning the second language. Different interpretations were put upon certain of the clauses. In some cases the English and Dutch speaking children were separated and taught in different classes, each through their own medium, with the result that the Dutch children clamoured to enter the English class. In other cases it was held that both English-speaking and Dutch-speaking children in a class should be taught by the same teacher, and receive each lesson in both languages. The language clauses, though long and detailed, are neither clear nor precise, and the meaning, as already indicated, was rendered still more obscure by the alterations introduced through the compromise. This obscurity was fully recognised, and in Bloemfontein the question of appealing to the High Court for an interpretation was even under discussion. During most of this time the Attorney-General was absent from Bloemfontein attending the sittings of the National Convention, and as the statutory provisions were so obscure, and as their author was not present to interpret them, all that could be done by the Department was to proceed slowly and keep things quiet. Immediately on the return of the Attorney-General from Cape Town the Director submitted to him an explanatory circular which he proposed to issue in regard to the language clauses. This was approved without alteration, and was issued on the 11th February, 1909. While this circular cleared up certain points, other difficulties emerged, and there was serious discontent

1st Circular re Language.

amongst both Dutch and English parents. One of the difficulties was concerned with the qualification of teachers, whether they should necessarily be bi-lingual, or whether uni-lingual teachers could be appointed—in other words, whether any English teachers could be appointed at the request of School Committees. Another ^{Circular re Teachers.} circular dealing with that question was issued on the 12th March.

It was now, however, made clear from the law and the circulars :

- (1). That every child has to learn both English and Dutch as languages, except on account of ill-health or temporary residence in the country. ^{Meaning of Language Clauses.}
- (2). That if any class below Standard V. is composed partly of English and partly of Dutch-speaking children, it should not be divided into two sections according to the mother tongue of the children, but should be instructed as a single class by a teacher who can teach through both English and Dutch.
- (3). That in such classes both English and Dutch are to be used as media for each lesson in each subject.
- (4). That in classes in and above Standard V. three principal subjects shall be taught through English and three through Dutch, and that the language which is not used as the medium of instruction for any subject shall, as far as possible, be used as an additional medium of instruction for every such subject.
- (5). That every subject, from Kindergarten to Matriculuation, should be taught by teachers who can and should pass freely from one medium to the other—from the principal to the subsidiary medium as the case may be.
- (6). That in filling future vacancies it is necessary, to meet the requirements of the law, to appoint teachers who have a competent knowledge of both languages.

In other words, to state the position concisely, every child has to be taught in every subject through both the English and Dutch mediums, and the instruction has to be given by a teacher who is, or is supposed to be, conversant with both languages. This means, to all practical purposes, that no British-born or uni-lingual teacher can be appointed, even at the request of the parents or the School Committees, as the State, through its legislation, restricts their judgment and discretion as far as the linguistic qualifications of the staff are concerned.

It may be advisable at this point to make some remarks regarding the attitude assumed by the Crown Colony Government towards the teachers of both nationalities. As regards the teachers of Dutch extraction, it has been pointed out that advertisements were inserted in the Press in 1903 inviting all former teachers of the Free State who were not already appointed to apply to the Department, and it may confidently be assumed that all who desired to obtain employment received posts. On the other hand, the teachers imported from Great Britain—the proportionate number of whom has already been referred to—were placed in a peculiarly delicate position on the introduction of Responsible Government. Most of them were appointed under conditions approximating to those of the Civil Service, and their case had to be taken into consideration in connection with the Amalgamation Agreement of 1905, when very considerable power was granted to local authorities in regard to the appointment and dismissal of teachers. In that Agreement, signed among others by General Herzog, as already stated, the following provision was inserted:—

“ No teacher who has been specially appointed by the
“ Colonial Office and whose appointment is confirmed
“ by the Lieutenant-Governor can be removed except
“ on account of immoral conduct or inefficiency.”

This provision was embodied in the Education Ordinance of 1905 (Section 35, (2).)

When the Act of 1908 was being framed the Director impressed upon the Minister that it was essential, not only as a right to the individual, but on the wider ground of the Imperial trust reposed in the grant of Responsible Government, that the transferred public servants should not be deprived of any existing rights or privileges, but in spite of this advice the Minister declined to embody this clause in the new Act. Before the Bill finally passed the Upper House, the obligation had, however, to be accepted, and the clause was inserted in the new Bill, but with the substitution of “ dismissed ” for “ removed ” in the provision referred to.

The effect of the new policy, which could only be carried out by bi-lingual teachers, was to discourage the British-born teachers and to make them feel that at best they were only tolerated by the Government. Indeed the only result of the policy could be to oust them gradually from the service and to prevent their

places being filled—even at the request of the Committees—by candidates from Great Britain.

Wherever an attempt was made to put the Act strictly into operation there was trouble. The English parents and also many Dutch parents objected to the dual medium, on the ground that it led to a waste of time and caused confusion of thought and speech. They maintained that the Dutch language could be effectively learned in the ordinary way, and that it was quite unnecessary to repeat or summarise each lesson in each language as a compulsory concession to each race. The law demands that the medium up to and including Standard IV. must be the language best spoken and understood by the child, and that the second language should be introduced gradually. As an interesting sidelight on the situation it may be mentioned that the Infant Mistress of Ladybrand School, where the Dutch outnumber the English by nearly three to one, asked each of the parents in error whether they wanted English or Dutch as the medium. The parents have, of course, no option in the matter, but when they were approached almost every one, both Dutch and English, asked for the English medium.

The Law did not intend the second language to be taught, except conversationally, below Standard IV., but the Dutch parents demanded English to be taught to their children as soon as they entered school. At Thaba 'Nchu, where there was much trouble, General Hertzog personally met the School Committee on the 4th March, 1909, and, after a stormy meeting, refused to concede to the Dutch-speaking children formal English instruction in classes below the IV. Standard. After leaving the meeting, however, he conceded that those who had already made some progress in English might continue with the formal study of the language. The Inspector for the district was present, and heard General Hertzog's explanation as to what the Law meant. He put this conception into operation shortly afterwards in several schools in his district, with the result that much discontent was created. The Director was away at the time, but the Minister peremptorily settled the question by asking the Inspector to refrain any further from interpreting the Law.

The situation became extremely delicate. The difficulties could easily have been surmounted if the wishes of the parents were acceded to, but the Law was very rigid and detailed, and the Minister was not prepared to relax it, though his own interpretation of certain points varied from time to time. The Department had no discretion, as it was bound by the Law, and it conse-

quently was unable to establish harmony when difficulties arose. The Minister, too, was inexperienced, and frequently interfered in the administration of the Department in ways that affected even administrative discipline. Notwithstanding verbal and written protests, he persisted for a considerable time in using a junior member of the staff as a bi-lingual propagandist in a manner unheard of in ordinary administration.

At Harrismith, for instance, which is essentially an English town, an English teacher resigned, and the Committee nominated a South African English-speaking teacher to take her place. Two of the Committee maintained that by law the teacher should know Dutch; they appealed directly to the Minister, who intervened and upheld their contention. The Committee refused, however, to give way, as they maintained that the provision for teaching Dutch was adequate. The *impasse* was eventually got over by a hurried visit of the Minister to Harrismith, when, in order to satisfy both sections, he agreed to the appointment of two teachers, one English and the other Dutch-speaking.

Friction arose over the refusal of the Department to depart from the terms of the Law in granting pupils exemption from learning the Dutch language. There was friction over the dual medium, over the amount of time to be given to English and Dutch as mediums in each lesson, over the stage at which the second language should be introduced, and over the stage at which reading books might be used in learning the second language, and there was friction over the language qualifications of teachers. The administrative officers were helpless, as they had to follow the Law.

Causes of Friction.

Dismissal of the Inspectors.

The Director had advised the Minister shortly after his return from the Convention to meet all the Inspectors and explain to them personally the meaning of the Act, in order that there might be no further misunderstanding. This he promised to do, but the meeting was postponed more than once. On the 10th May the Director heard indirectly that the Minister and others were blaming the Inspectors for the discontent that existed. He wrote to the Minister on the following day regarding the rumour, and urged that the proposed conference be immediately held. He received a reply dated the same day from the Minister, who stated that he did attribute the trouble that existed to the Inspectors, and that he had decided to dismiss three of them.

The Director, after personally impressing upon the Minister the seriousness of the step which he proposed to take, wrote him

a minute on the 13th, in which he expressed his full confidence in the Inspectors, and recalled the loyal and efficient service which they had so long rendered the Department under the most difficult and delicate circumstances. He urged the Minister to formulate the charges against them, and to grant them an enquiry. To this request the Minister gave a point-blank refusal. The Colonial Secretary—Mr. Abraham Fischer—sent them letters of dismissal on the 15th May.

Though the question of the dismissals was the subject of much public interest and comment throughout South Africa at the time, it is not proposed to go into further detail regarding the matter here. It must, however, be remarked that for its flagrant injustice, for the irregularity of the procedure, for the flimsiness of the accusations and of the so-called evidence, and for some other astounding circumstances connected with it, this action of the Government of the Orange River Colony must stand without a parallel in the history of British administration.

It is needless to say that the state of feeling became accentuated. The Minister wrote a circular, dated 1st June, which attempted to explain further the language clauses of the Act. In that circular he ruled that the study of the second language was optional until the fourth standard, while at the same time the dual medium was compulsory below that standard. Dissatisfaction, however, continued, and several indignation meetings were held in the Colony, which protested against the unjust treatment of the Inspectors, and demanded an alteration in the language provisions of the School Act. A Vigilance Committee was appointed to watch the development of events, and when the Convention delegates went to England in connection with the Constitution, the Committee sent Mr. C. L. Botha, M.L.A., and Col. J. J. Byron, M.L.C., as a deputation to England to look after their interests.

General Hertzog was absent from the Colony for about three months. Since the dismissal of the Inspectors it was generally realised that the policy of the Minister was to enforce his Law, but at the same time to enforce it without creating public discontent or criticism. The two objects were incompatible, but the officials of the Department intervened as little as possible, and there was a time of comparative peace. The public view of the situation, however, is indicated by the fact that the attendance dropped in little over a year by a thousand—the only instance since peace in which there was not a substantial increase.

2nd Circular re
Language.

Deputation to
England.

Fall in atten-
dance.

The writer is anxious to obtrude himself as little as possible into these pages, but it is necessary for him to state that, in view of his experience, especially in connection with the Amalgamation Agreement of 1905, he had not despaired of a solution being found to the existing difficulties, and he had much hope that General Herzog's visit to England might enable him to return with modified views. In this he was disappointed. The writer had, in the meantime, owing to the interest taken by the public in the problem, and owing also to obvious mis-statements which had persistently been made, gone into the question of the language difficulty in the various parts of the Empire and of some European countries. On General Herzog's return he submitted to him for his information a copy of this paper (which is annexed). He also pointed out to the Minister that the language provisions of the Act of Union had altered the situation, and that he now had a favourable opportunity both of modifying his language clauses to bring them into harmony with that Act, and of meeting the wishes of the British people and of the other opponents of his Law. The writer also submitted to him what he considered would be a suitable solution under the altered conditions. He pointed out that this solution gave equality without compulsion, and expressed his conviction that the commonsense of the two races in each locality would lead to a working arrangement. If that should prove impossible in certain cases, then he felt that it would be better to face duplicate or parallel classes than to have constant intrigues and racial strife, with the consequent deleterious effect on the national character. The clause of the Act of Union referred to reads as follows:—

“ Both the English and Dutch languages shall be official languages of the Union, and shall be treated on a footing of equality and possess and enjoy equal freedom, rights and privileges.”

As regards English and Dutch as languages, the Director recommended that in every public or State-aided school provision should, if necessary, be made for the teaching of both the English and Dutch languages, that the time to be devoted to the study of English and Dutch as languages should be the same, and that all pupils attending such schools should receive instruction in both the English and Dutch languages, unless their parents should request that they be exempted from instruction in either of these languages. As regards English and Dutch as media of instruction, he recommended that the medium of instruction in the lower classes of any public or State-aided School should be the mother tongue of the pupil, whether English or Dutch, and that,

Director's
Advice.

Language
Clause of Act
of Union.

The Director's
Proposals.

if the parents so desired, the language which is not the mother tongue should be gradually introduced and resorted to in these classes as a subsidiary medium. He proposed that above the lower classes the medium for any subject might be either English or Dutch, as the parents of the children attending the school might desire, but if a minority of the parents should fail to agree with the desire of the majority as to the medium, provision should as far as possible be made for the instruction of their children through the medium desired by them.

The expression "lower classes" would mean the infant classes or such classes as the Department might from time to time decide.

General Herzog, after consideration, replied that he would not depart from the policy he had adopted, as it was based upon principles which he was convinced were in the best interests of the State and of the child. The writer then asked him what he proposed to do to meet the wishes of the British section of the people and of the others who supported them. He said the opposition was purely political and confined to a few people who fomented strife, and that he did not intend to meet them in any way. The writer replied that he did not agree with this diagnosis of the situation, that in any case the Minister should acquaint himself with the views of the other side, and finally advised him to invite to a conference a number of representative British citizens who took an interest in education and who were not political partisans.

This course was agreed to, and 20 representatives from various parts of the Colony met him on the 23rd November, 1909. The opening meeting was taken up almost entirely by the Minister with an exposition of his policy, and was not very auspicious. The delegates immediately after its conclusion requested that they might be allowed to meet by themselves in order that they might formulate their proposals. This course was adopted, and they submitted recommendations which practically amounted to the modification or repeal of every part of the School Act. The reply to the language proposals, in which the delegates asked that the choice of medium should be left to the parents, was not given until the 1st February, 1910, when the delegates were again called to Bloemfontein. The Minister replied at considerable length, defending his policy and declining to give way, but in the reply he indicated that he was prepared to make a concession, which might perhaps amount to the duplication of one or two classes in two or three schools. The delegates considered this entirely unsatisfactory. They passed a resolution in which they regretted

Conference of
English Dele-
gates.

the attitude the Minister took up, and said that they had no further advice to offer.

Governor
intervenes.

On the 4th February the Governor had an interview with the Minister regarding the possibility of a settlement, and it was agreed that the Governor should see the Director regarding the matter. This interview took place on the 4th. The Director late in the afternoon of the 5th saw the Minister and said he had some suggestions to offer which might lead to a solution. The Minister said he would be glad if the Director could see him on the following (Sunday) evening, the 6th, regarding his proposals, as he was leaving on Monday morning, the 7th, for Reddersburg. The Director met him on that evening and submitted to him written proposals which he thought the delegates would accept as a *modus vivendi*. The question was discussed at some length, and the Minister approved of the proposals after making two erasures in the document with his own pen, and without making any additions or mentioning any reservations. He wrote to the Governor on the same evening stating that he would be glad if his mediation should prove successful, and appointing the Director to represent him. The Governor on the 7th summoned the delegates who were near at hand to meet him on the 8th, as he was leaving on the 9th for Smithfield.

Delegates meet
Governor.

The Conference duly took place on the 8th, and after considerable discussion, the approved proposals were submitted to the delegates and accepted.

While the Governor on the 7th was summoning the delegates to meet him in order to make the peace, the Minister delivered a speech at Reddersburg in which he criticised the attitude of the delegates and said that he would not go back one step. The report of this speech did not appear till the 9th. Two of the delegates called upon the Director in regard to it, and he advised them to telegraph to the Governor. The Governor, after seeing his Minister at Smithfield, replied that they should proceed as arranged on the 8th. Subsequently the Governor telegraphed to the Minister when he was in Cape Town suggesting that he and the delegates should meet on the 21st in the Governor's office to confirm the agreement. The Minister replied that he approved of the date, but that he would rather meet at the previous meeting place than at the Governor's office. The Minister finally met the delegates on the 21st February, and informed them that he was prepared to accept the Director's proposals, but subject to four limitations. Three of these restrictions were of no material consequence, but the fourth made the proposals almost valueless. The delegates, on account of these restrictions, withdrew their approval, and the

Minister adds
Restrictions.

Conference finally came to an end. The Minister a few days later was charged in an article which appeared in the *Transvaal Leader* with a breach of faith, and certain other reflections were cast upon him. The full details as to what happened in connection with the Minister's methods of procedure and anxiety to exonerate himself will be found in the annexed correspondence which took place between the Minister and the Director. It need only be added that the proposals of the Director went only part of the way to meet the demands of the minority, and would not, even if granted, have given them all the educational rights and privileges enjoyed by English-speaking subjects in every other Colony even of South Africa. The Minister, however, considered it wrongful conduct on the part of the Director to commit him (as he alleged) to granting the British minority even some of these rights—elementary rights which till now were never questioned by any Government in the Empire.

Article in
Transvaal Leader.

In the meantime another Bill had been under the consideration of the Minister—a Bill dealing with the grading and classification of schools and the appointment and salaries of teachers. It had been roughly drafted before he left for England in June, 1909, but the Director did not discuss it with him until his return in October. At an interview, the Director pointed out that it was unnecessary and almost unprecedented to put such detailed provisions in an Act of Parliament, that they could be published under the School Act of 1908 as regulations, that practically all the provisions, except the question of a scale of salaries for teachers, were dealt with under the existing regulations, but that these could be modified if, after consideration, he deemed that course advisable. The Minister was eventually persuaded to drop his Bill. It was agreed that the Director should draft a short Bill dealing only with the scale of salaries, and that the rest of the Bill should take the form of a circular to School Committees and Boards, defining the policy and intentions of the Department. The Director and the Assistant Law Adviser drafted a short Bill, the provisions of which did not discriminate against teachers on account of their nationality or lack of bi-lingual qualifications. The Director also drafted a circular and forwarded it to the Minister. It was dated the 13th November, 1909. The Minister, however, again changed his mind and reverted to his old scheme. He sent for his draft Bill and set to work upon it. The scheme gradually unfolded itself, and the question of language became intertwined with every important provision. The Director gave his assistance in every way, and much of the Bill was modified and large portions of it recast. The point, however, had at last been reached when serious differences of opinion on questions of

Classification
of Schools and
Teachers' Act.

Director's
Proposals.

principle arose. As published, this Bill, which extended to some 30 odd pages of detail, contained, *inter alia*, provisions which were complicated and obscure, but which in practice amounted to the following:—

- (1). None of the English teachers who were imported or appointed by Committees during the Crown Colony *régime* could be placed on the established teaching staff of the Colony or receive any increments of salary, except under practically impossible conditions.
- (2). No person could thereafter become the Principal, Vice-Principal, Second Master or Infants' Mistress of any school or department of any school who was not proficient in and conversant with both the English and the Dutch languages—except “for special reasons and with the consent of the Governor.”
- (3). To obtain the certificates qualifying for permanent posts it would be necessary to pass an examination in every subject, half of the questions of which in each paper—with the exception of the Dutch and English language papers—would have to be set in English and half in Dutch, and every question would have to be answered in the language in which it was set. Oral examinations would have to be partly in English and partly in Dutch.

(This clause to all practical purposes meant the exclusion of all British-born subjects from the teaching profession of a Colony in which a large proportion of British people lived.)

- (4). The Normal School which has since its institution in 1901 been so capably run by an English lady of exceptional ability and experience, was to be legislated out of existence, notwithstanding the fact that it has contributed to the service of the Colony a large proportion of teachers drawn from the people themselves.

(A proposal as regards its status and future drafted by the Director after discussing the question with the Minister was not adopted.)

- (5). A Council of Examiners was to have powers which in many respects usurped the ordinary discretion usually allowed to the permanent officials such as the Director, the Inspectors, and Principals of Schools.
- (6). Committees were to all practical purposes invited to complain about the lack of bi-lingual qualifications of teachers, whereupon the Council of Examiners would

appoint a Committee to enquire, with the result which is clearly indicated that uni-lingual teachers would have to be removed.

The tale need no further be prolonged. Educationally and administratively the whole Bill was unnecessary, most of its provisions were superfluous, and many of them were decidedly bad. But worst of all it could have no other effect than to drive out of the Colony any British-born teachers that remained, and prevent the appointment of any more.

These points were seriously discussed between the Minister and the Director. One instance alone need be referred to. The Director pointed out that the teachers who were appointed from England under Crown Colony Government came out on the understanding that they would receive the usual privileges accruing to the service in the way of promotion and increments of salary, that when they arrived there was no scale of salary as the conditions of service were not definitely fixed, but that at the same time it was unfair and unusual to make new conditions retrospective, and impose them upon existing occupants of posts. He further pointed out that while the Imperial Government left these officials unconditionally in the hands or at the mercy of the new Government, the Minister might be charged with a breach of trust if he included them in the discriminating conditions of the new Bill. The Minister replied that he would consider the matter. A day or two later he said that he had considered the question and that he had come to the following conclusion—that these teachers had come out under a definite contract, that the terms of the contract would be observed, but that now the Government were according additional advantages to the service, and that they were entitled to lay down new conditions.

The writer had appeared before the Ridgway Commission in connection with this question, but it was useless to urge his views any further upon the Minister. His general attitude towards British-born teachers was distinctly unsympathetic, and in certain individual cases he failed to display that calmness of mind and impartiality of judgment which one would be justified in expecting from the occupant of his post.

The other questions were still in abeyance, and it was understood that the Minister and the Director should meet to discuss them at a later date. They were, however, running *pari passu* with the Conference difference, and the interview never took place.

In connection with that difference the Director appeared before a Cabinet meeting on the 21st March. The three hours

Difference
between Minister & Director

of the first and only sitting were occupied by the Minister, who recalled his policy, his statements, his interviews and his private conversations to prove that he had not committed or could not commit a breach of faith. He indicated that the Director must have known that he would never give in to the minority to the extent proposed. The meeting was adjourned without the Director being heard. Subsequently he met the Prime Minister, who pointed out that the charges made against the Attorney-General by the Press were a most serious matter for him. The Director replied that he had made no charge against the Minister, and that as a matter of fact he did not believe that he had deliberately broken faith. He felt, however, that there might be something in what the Prime Minister contended—that the Minister did not fully realise what he agreed to and that the Director should have impressed upon him the full meaning of what he approved.

The writer, as the Responsible Head of the Department, was anxious that no act of omission or commission on his part should in any way prejudice the reputation or the future of his Minister, and he was personally convinced, from what the Minister urged, that his repudiation or modification of the proposals he agreed to on the 6th February was due to confusion of thought or to obsession, and not to deliberate intention. He accordingly wrote a minute, in which he said that he did not think a charge of breach of faith against the Minister was justified, and in which he took his full share of responsibility for the misunderstanding which had occurred. At the same time he informed the Prime Minister that he could not work personally with the Attorney-General any longer, and that, while the personal question might be got over owing to the near advent of Union, he could not see his way to carry out the provisions of the legislation which was then passing through Parliament. He wrote a letter to that effect on the 26th March, and asked that he should be allowed to retire from his post. This was agreed to, and his duties as Director ceased on the 5th April.

The publication of the Director's letter of resignation drew the attention of the Legislative Council to the significance of the new Bill, and, after much debate, the members of the Opposition, who failed to get any substantial concessions, withdrew in a body from the House. The Attorney-General, owing, it is understood, to pressure from another Colony, made certain minor concessions after the Opposition withdrew, but they do not to any material extent alter the situation.

Such accordingly is the educational position in the Orange River Colony on its entering Union.

PART II.

The following are the existing statutory provisions as regards language and medium of instruction in the Orange River Colony, now the Orange Free State (School Act, 1908), with three explanatory circulars:—

Equal Treatment of English and Dutch Language.

14. It shall be the duty of the principal teacher of each primary or secondary Public School to provide for and enforce the equal treatment as much as possible of the English and Dutch language in such school in order to ensure the proficiency of the children in each of these languages.

Medium of Instruction.

15. (1) Save and except in the teaching of any foreign language English and Dutch shall be the sole and equal mediums of instruction in every public school and every child up to and including Standard IV. shall be instructed in every subject through the language best spoken and understood by such child as the medium of instruction for such child, and the language which is not the medium of instruction for such child shall by gradual increase and as much as is consistent with the age and intelligence of such child be resorted to and used.

(2) Where and whenever any class is composed partly of English and partly of Dutch speaking children both English and Dutch shall as far as possible be equal mediums of instruction for such class.

(3) (a) After Standard III. both English and Dutch shall be taught as languages to every child; provided that whenever a parent shall require in writing that his child be exempted from the operation of this sub-section and shall show to the satisfaction of the Director that either because of such child's state of health or of the temporary

nature of his residence in South Africa, or because of any other adequate reason of a like nature it will be to the advantage of such child that he be exempted from learning the one or the other of the two languages, the Director shall grant such exemption.

(b) the teaching of the English or Dutch language as a language shall be through the medium of the language which is the subject of instruction.

16. After Standard IV. and up to and including the Matriculation Examination or any examination equivalent thereto now or hereafter to be established the minimum number of principal subjects taught through English as medium and the minimum number of principal subjects taught through Dutch as medium shall as far as possible be three and subject to the foregoing the number of principal subjects to be so taught in the one and in the other language as also the particular principal subjects to be so taught shall be decided upon and fixed from year to year by each School Committee for each of its school standards provided that

(1) principal subjects shall mean

(a) for Standards V. and VI.

- 1. English
- 2. Dutch
- 3. History
- 4. Geography
- 5. Latin
- 6. Arithmetic
- 7. Algebra
- 8. Geometry.

(b) for every higher Standard or Class up to and including Matriculation

- 1. English
- 2. Dutch
- 3. Latin
- 4. Physical Science
- 5. Mathematics
- 6. Greek or History.

provided that the Director with the approval of the Minister may at any time for the purpose of creating a new or special course of instruction or of establishing any examination different from any examination at present existing delete any of the above named principal subjects save and except English and Dutch and substitute in the place thereof any new and special subject or subjects as principal subjects; and provided that except in the

teaching of English and Dutch the language which is not used as the medium of instruction of any subject shall as far as possible be used as an additional medium of instruction for every such subject.

- (2) in the teaching of all other subjects not immediately connected with or forming part of any principal subject Dutch and English shall as far as possible be equally used as mediums of instruction;
- (3) during the first three years after the taking effect of this Act the Director shall have the right to exclude from the operation of the provisions of this section any child whose parents require in writing that such shall be done; provided that after the termination of the said period of three years whenever a parent shall require in writing that his child be exempted from the operation of this section and shall show to the satisfaction of the Director that because of the temporary nature of his residence in South Africa or because of any other adequate reason it will be to the advantage of such child that he be exempted from receiving instruction through the medium of the language which is not his own and provided the necessary facilities for receiving instruction in all subjects through his own language exist at such school, the Director shall grant such exemption.

EXPLANATORY CIRCULARS.

(1)

EDUCATION DEPARTMENT,
BLOEMFONTEIN, O.R.C.,
11th February, 1909.

(Circular to Principals of Schools, School Committees, School Boards and Inspectors.)

Sir or Madam,

As numerous questions have been addressed to the Department in connection with Sections 15 and 16 of the School Act, 1908, I have the honour to submit for your guidance the following statement as to the meaning and intention of the Act.

I. MEDIUM.

(1) *Infant Department and Classes up to and including Standard IV.*

“ Every child shall be instructed in every subject through the language best spoken and understood by such child.” [Section 15 (1).] If you have any doubt as to which language is best spoken and understood by the child, you should ask the parent, but having obtained that information, you should act in accordance with the provisions of the law.

When a class is composed entirely of children whose mother tongue is the same, the question of medium should present no difficulty. The children should be taught through the medium of their mother tongue, and the language which is not the medium should be resorted to conversationally and be gradually introduced and used up to and including Standard IV.

When, however, a class is composed partly of Dutch-speaking and partly of English-speaking children [Section 15 (2).]—which is the case in almost all town schools—the Act does not contemplate that the Class should be divided into two sections according to the languages best spoken and understood by the children, and such a course should, if possible, be avoided. If the teacher is bilingual, each class should be instructed in each subject through both mediums, the relative amount of time to be devoted to the one or the other medium to depend more or less upon the number of children in the class whose mother tongue is the one or the other language. If the teacher is not bilingual, arrangements should be made whereby the lessons are repeated by a teacher who can give these lessons in the other tongue.

There will, doubtless, be some difficulties to begin with in carrying out these provisions, but the Department will make reasonable allowance during the transition stage for minor deviations, provided every endeavour, consistent with the qualifications of the staff and other local circumstances, is made to put the general provisions of the Act into operation. The Department notes with pleasure that teachers who do not know Dutch have heartily availed themselves of the facilities provided them for

acquiring a knowledge of the language, and it desires to assure them that there is no intention of interfering with their positions so long as they do their best to meet the requirements of the Act. It is hoped that, as teachers become more proficient in both languages, the difficulties in the way of carrying out the provisions of Section 15 will be materially lessened.

(2) *Medium above Standard IV.*

The terms of Section 16 are sufficiently explicit and require no explanation. I desire, however, to point out that the Department is anxious that the continuity of the pupils' studies should be interfered with as little as possible, and that, when parents deem it advisable and when they apply in writing, exemption will be granted from the one or the other medium for the next three years, in accordance with the terms of Section 16 (3).

II.—ENGLISH AND DUTCH AS LANGUAGES.

As I have already pointed out, the language which is not the mother tongue of the child is expected to be resorted to conversationally and to be gradually introduced and used as a medium in the Infant and Junior Classes. After Standard III. it takes its place in the curriculum and its study as a language becomes formal and compulsory. Provision, however, is made in Section 15 (3) (a) for exempting children from the study of either the one or the other language for certain definite reasons which require to be stated in writing.

In conclusion, I desire to express my hope that every teacher and official will do his best to carry out loyally and earnestly the duties imposed upon the Department by the Legislature of the Colony.

I have the honour to be,
Sir (or Madam),
Your obedient Servant,

HUGH GUNN,
Director of Education.

(2)

EDUCATION DEPARTMENT,

BLOEMFONTEIN, O.R.C.,

12th March, 1909.

Vide Circular of 11th February, 1909, re Medium of Instruction and English and Dutch Languages.

APPOINTMENT OF TEACHERS UNDER SCHOOL ACT, 1908.

(Circular to School Committees, School Boards, Principals and Inspectors of Schools.)

Sir,

As several instances have recently occurred in connection with the nomination of teachers in which School Committees would appear to be in doubt regarding certain provisions of the School Act, 1908, I have the honour to submit the following statement for the guidance of Boards and Committees.

1. My Circular of the 11th ult. to which I desire to direct attention pointed out in regard to the medium of instruction that if any class below Standard V. is composed partly of English and partly of Dutch speaking children, it should not be divided into two sections according to the mother tongue of the children but should be instructed in a single class by a teacher who can teach through either medium. (Section 15 (1) and (2).)

In regard to the medium for classes in and above Standard V. Section 16 stipulates that as far as possible three principal subjects as a minimum shall be taught through English and three through Dutch, and that the "language which is not used as the medium of instruction of any subject shall as far as possible be used as an additional medium of instruction for every such subject."

The Act, accordingly, contemplates that every subject from Kindergarten to Matriculation should be taught by teachers who

can and should pass freely from the one medium to the other—from the principal to the subsidiary medium as the case may be. Exemption from the dual medium may be granted under Section 16 (3), but such exemption, except under certain definite conditions, applies only to the first three years after the taking effect of the Act and is intended merely as a temporary expedient to tide over the period of transition.

2. It should also be noted that compliance with the provisions of Sections 15 and 16 of the Act is made an indispensable condition for the payment of a grant-in-aid to a Private School. (Section 27 (j).)

3. I am also to point out that the Act imposes certain specific duties upon the Principal, the Director and the Minister. Section 14 lays down that the Principal must provide for and enforce, as far as possible, the equal treatment of the two languages. The Director is responsible for seeing that the duties entrusted to the Department are carried out (Section 3), and that applicants recommended by Committees are able to fulfil the requirements of the Act (Section 81). Section 85 (3) lays down that it shall be the duty of the Minister after the expiration of three years to take such steps as may be necessary to provide a staff which will be efficient and competent to give effect to the provisions of Sections 14, 15 and 16 of the Act.

4. While there is no intention of interfering with the position of teachers who do not know Dutch but are otherwise well qualified, as long as they do their best to carry out the Law, yet it is clear that Sections 15 and 16 can be properly put into effect only by teachers who possess a good knowledge of both languages.

5. It will thus be seen that grave responsibilities and duties are imposed upon Committees, Boards and Principals of Schools, as well as upon the Director and the Minister in connection with the carrying out of the Law. I am, therefore, to point out that whenever vacancies hereafter occur in schools, it will be necessary, in order to meet the requirements of the Law, to appoint teachers who have a competent knowledge of both languages, and the Department trusts that Committees and Boards will keep this in view in submitting their recommendations.

I have the honour to be,

Sir,

Your obedient Servant,

HUGH GUNN,

Director of Education.

(Issued after the dismissal of the Inspectors.)

EDUCATION DEPARTMENT,
BLOEMFONTEIN, O.R.C.,

1st June, 1909.

Sir (or Madam),

In reference to the language clauses of the School Act, I have the honour to draw your attention to the following instructions, which are issued by direction of the Honourable the Attorney-General.

I have the honour to be,
Sir (or Madam),
Your obedient Servant,

HUGH GUNN,
Director of Education.

INSTRUCTIONS WITH REGARD TO THE LANGUAGE
CLAUSES OF THE SCHOOL ACT, 1908.

As it has been found necessary to point out to teachers and inspectors certain misunderstandings which have arisen owing to misconstructions put upon the provisions of the language clauses of the School Act and of the directions contained in the departmental circular of the 11th February last, attention is directed to the following:—

I.—*Teaching of Second Language below Standard IV.*

It will be noticed that while Section 15 (3) (a) of the School Act makes the teaching of English and Dutch as languages compulsory to every child above Standard III., the Act does not provide for the teaching of the second language, i.e., the language not best spoken and understood, to a

child below Standard IV. From this the erroneous conclusion has been drawn by some teachers and inspectors that the law forbids the teaching of the second language, notwithstanding the fact that the Code, which has not been changed by any law or regulation in this respect, provides that the second language shall be taught in like manner as was the case prior to the coming into operation of the new Act. Prior to Standard IV. the second language is, however, optional, and no child whose parent objects to instruction being given to such child below Standard IV. is to be compelled to learn it.

To the child, therefore, whose parent makes no objection to the instruction to such child of the second language, such language shall be taught for the present according to the provisions of the existing Code.

II.—Time to be devoted to the teaching of English and Dutch as Subjects of Instruction.

It has been found that the provision in the Circular of the 11th February with regard to *Medium*, where it is laid down that “*if the teacher is bilingual, each class should be instructed in each subject through both mediums, the relative amount of time to be devoted to the one or the other medium to depend more or less upon the number of children in the class whose mother tongue is the one or the other language,*” has in some instances been applied to English and Dutch not as *mediums* but as *subjects* of instruction. This is a most unjustifiable misconstruction placed upon very clear words; where English and Dutch are taught as *subjects* of instruction the time set apart for each as a subject should be the same, or as nearly as possible so, according as the age and intelligence of the child will allow.

III.—The Medium of Instruction to be used in teaching English or Dutch as a Second Language below Standard IV.

Section 15 (3) (b) provides “*that the teaching of the English or Dutch language as a language shall be through the medium of the language which is the subject of instruction.*” This provision, which refers to the teaching of English and Dutch above Standard III., has been interpreted as also applying to the teaching of these subjects in the junior classes, and has been taken to exclude all use of the mother tongue as medium, no matter what the age or standard of proficiency of the child in the second language which is being taught to him. It need hardly be pointed

out that not only is there no foundation for this interpretation in the law, but that it is contrary both to the policy of the Act and to sound education to use exclusively a medium which is not comprehended by the child in its earlier stage of development. Teachers and inspectors will, therefore, see that in the teaching of the second language the mother tongue of the child is used as often as is necessary to make the child understand what is being taught to him, in such a manner that as the child progresses in the second language this language is gradually substituted more and more as the medium of instruction in that language. It must here be pointed out that even in the instruction of the second language above Standard III. it would be an abuse of the provision of Section 15 (3) (b) for the teacher, where he can do so, not to avail himself of the mother tongue of the child when it is necessary for the benefit of the child.

IV.—*Time to be allowed by a Teacher for the use of English and Dutch as mediums of instruction in a mixed class.*

The direction contained in the circular of 11th February and quoted above, to wit, that *the relative amount of time to be devoted to the one or the other medium is to depend more or less upon the number of children in the class whose mother tongue is the one or the other language* has not only been falsely applied to English and Dutch as *subjects* of instruction, but has led some inspectors and teachers to a mathematical apportionment of time between English and Dutch according to the number of Dutch-speaking and English-speaking children in the class. The circular certainly contemplated no such mathematical accuracy, nor is this a matter in which the discretion of the teacher should be so confined. The teacher is allowed freely to apportion the time according to the circumstances at the time and the necessities of each class, provided that on the whole the above direction be made to serve more or less as a guide to him.

It is hoped that the explanations now given will prevent a recurrence of the trouble and unpleasantness caused by the recent misunderstanding and misconstruction of the previous Circular and of the Act, and that if any further difficulties of a general character arise the Department will immediately be communicated with.

AN ENQUIRY
INTO THE STATUTORY OR OTHER PROVISIONS
GOVERNING THE USE OF
LANGUAGES IN SCHOOLS

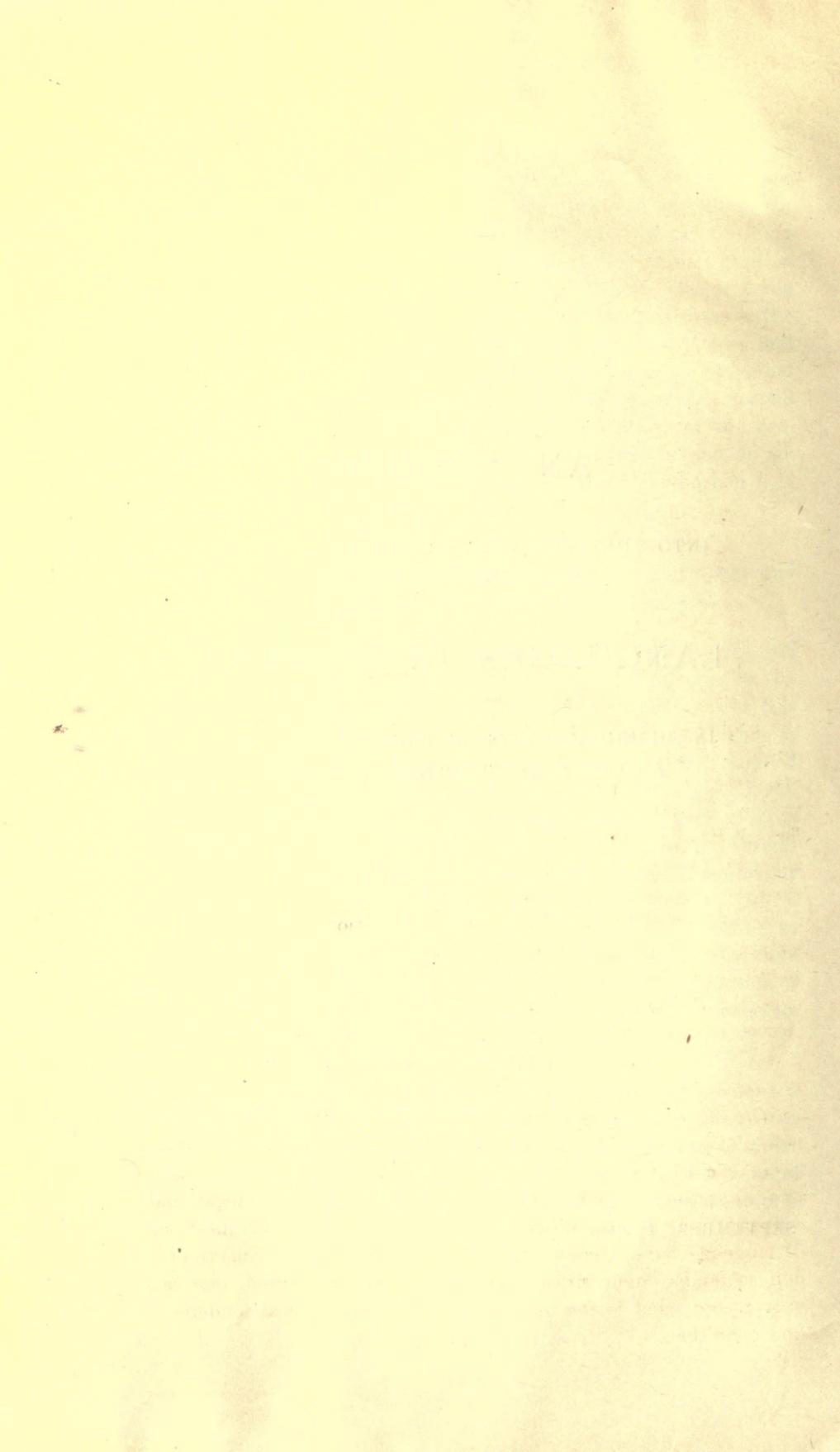
IN BILINGUAL PARTS OF THE BRITISH EMPIRE
AND OF SOME EUROPEAN COUNTRIES

BY

HUGH GUNN,

DIRECTOR OF EDUCATION, O.R.C.

SEPTEMBER, 1909.



PART III.

(Note.—For much of the information contained in the following paper, especially in connection with European countries, the Author is indebted to Dr. Frank Heath, of the Board of Education.)

THE LANGUAGE QUESTION IN THE SCHOOLS OF THE BRITISH EMPIRE AND OF SOME EUROPEAN COUNTRIES.

The question of the English and Dutch languages, especially as regards their use and relative place in the schools, concerns the people of South Africa so closely that it will doubtless be of interest to learn how similar problems have been solved or are attempted to be solved in other parts of the British Empire, as well as in some of the countries of Europe. The parts of the British Empire in which the language question exists to any considerable extent are Scotland, Wales, Ireland, Canada—more especially Quebec—and South Africa. The conditions, it is true, differ in almost every case, and the solution that has been adopted in one would not probably be satisfactory in another, but the student and the statesman will find some interest, if not advantage, in learning the result of experience or of the force of circumstances in each of these countries. The policy of the Imperial Government has differed from that of any other modern Power in that it has always allowed the various parts of the Empire to settle such difficulties for themselves. Indeed, this policy of devolution is carried to such an extent in Great Britain itself that the solution of the language problem is left for all practical purposes to each School Board or other local educational authority. It is, accordingly, only in the Colonies that questions of language have become the subject of Legislative Enactment, and as far as Great Britain and Ireland are concerned, one can only record what is the outcome of time and of local tendencies and conditions.

Before dealing with the British Empire, I propose for purposes of comparison to refer briefly to certain European countries in which, as in the case of Russia and Germany, a more or less autocratic Government has endeavoured to decide questions of language by imposing its will upon subject peoples, or where, as in Belgium, a section of the nation has been struggling for the recognition of Flemish as the equal, if not, indeed, the superior, of French as the working language of the country.

CONTINENTAL COUNTRIES.

I.—RUSSIA.

As regards Russia the language problem exists most acutely in the Caucasus, in Finland and in Poland. The policy of the Russian Government is to accord to any local language the minimum of official recognition which the circumstances may allow, and its aim has always been to secure unity of language, the only recognised State language being the Great Russian dialect of Slavonic. While there is some diversity in practice, and while the conditions differ in State and in Private Schools, it may be stated that, as a rule, Russian is the medium of instruction in Government Schools throughout the Empire.

(1) In the Caucasus the Armenians number, roughly, one million out of a population of about seven millions. It cannot be said that there is much of a system as regards schools in this territory, but the medium of instruction in State or State-aided schools is Russian. In primary schools which receive no State aid, each nationality is allowed to give instruction in its native language. In the higher and middle schools, all of which are either under the control of or are aided by the State, the time allowed for instruction of native languages is two hours per week, and from four to five hours per week are employed for teaching the Russian language.

In the primary schools under the control of the Holy Synod the rule as regards pupils who are non-Russian is to give instruction in reading and writing in the child's own language for the first half year. Thereafter as the child is expected to have over-

come the mechanical difficulties of reading, it is gradually introduced to the Russian medium. For the first two years the mother tongue is used for religious teaching.

(2) In Finland, out of a population of $2\frac{3}{4}$ millions, 86 per cent. speak Finnish, 13 per cent. Swedish, and the remainder mostly Russian. There are Finnish Schools and Swedish Schools, and no other language is taught in the Primary Schools except the language which is the medium, namely, Finnish in Finnish Schools and Swedish in Swedish Schools. In the Secondary Schools Swedish is also taught in the Finnish Schools and Finnish in Swedish Schools as a language, the time devoted to the second language being somewhat less than that devoted to the native language. In Secondary Schools, except Girls' Schools, Russian is also obligatory as a language.

Recent attempts made by the Russian Government to superimpose Russian upon all educational institutions, as part of a general policy, has caused trouble all over Finland.

(3) The population of Poland is, roughly, 10,000,000, of which 75 per cent. are Poles, 14 per cent. Jews, and 7 per cent. Russians.

The struggle over the language question has been long and bitter. Until 1815 education in Poland was purely Polish, and after the Russians took possession of the country in that year they appointed a Committee for educational and religious affairs, but made no change in the existing state of things. In 1839, however, this Committee was abolished and the education of Poland came under the control of the Ministry of Public Instruction in St. Petersburg. Since then the vicissitudes of the language question have been many—Polish and Russian being each in turn used as the medium, and Russian eventually becoming the medium for three subjects and finally for all. The Russification of the schools even went so far as to insist on the Poles being taught their own language through the medium of Russian, which, as a foreign language and that of their conquerors, the Poles intensely disliked. Since 1871 the language question has been a political and not an educational one, and has consequently been the source of continuous strife. In 1885 Religion and Polish were permitted to be taught in Polish, all the other subjects being in Russian, and this continued until 1905. During that period Russian was compulsory as a language and was taught on the average for four hours a week, while Polish was optional and was taught for only three hours per week. Russian was the

medium for all subjects, even for Polish, and the general school system was practically intended to Russify the Poles. Needless to say, extreme dissatisfaction prevailed, and in 1905, when the Russian Government was embarrassed by the Japanese War, almost all the Polish scholars went on strike and demanded Polish as the medium of instruction. This state of affairs continued for about a year, and at last the authorities granted permission for the opening of private schools in which all the subjects, except Russian, History and Geography, might be taught in Polish. This concession has been very largely taken advantage of, but owing to a variety of circumstances, the state of education can only be described as deplorable. The number of hours devoted to Russian and Polish in these Private Schools is nominally three per week.

II.—GERMANY.

In Germany the question of language has arisen in Alsace Lorraine, in Schleswig, and in Posen.

(1) Alsace Lorraine was originally German territory, and the language spoken by the bulk of the people was always German. Out of a population of about 1,700,000, only 200,000 are of French origin. Even during the French occupation German was taught side by side with French, but the French Government paid no real attention to the schools until 1871, when the loss of the two provinces impressed upon them the importance of education.

It is in Lorraine that the largest number of schools exist where French or mixed French and German are spoken. The schools there are divided into three classes. The first class consists of schools in which more than 75 per cent. of the pupils speak French as their mother tongue, and in these schools lessons in reading are begun in French and also two hours a week are devoted to lessons in French as a language. The second class consists of schools in which from 25 per cent. to 75 per cent. of the pupils speak German, and, though it would appear that some use is made of French as a medium in the lower classes, reading lessons begin in German and French lessons are no longer given in the upper classes. The third class consists of schools where more than 75 per cent. of the pupils are German-speaking, and these schools follow the same curriculum as those in German-speaking territory.

Religious instruction is given, in all schools, in the mother tongue of the pupil, but in all other subjects, except French, the medium is German.

All children born of marriages in which either the father or mother originate from a German-speaking district are reckoned as having German as their mother tongue.

(2) In North Schleswig, German is the medium of instruction in all subjects with the exception of religion, but during the first year of a child's school life the teacher may make use of Danish in order to teach children who are entirely ignorant of German. In Upper Schleswig, even for religion, German is supposed to be the medium in the junior classes and the mother tongue used only as an auxiliary medium as far as is necessary. In the upper classes religious instruction is given solely in German.

(3) As regards Posen and West Prussia, the Prussian Minister for Instruction issued an ordinance on September 7th, 1887, ordaining that instruction in the Polish language should be abolished forthwith in the Province of Posen, that the hours of study before then devoted to Polish should be utilised for instruction in the German language, and that the curriculum in the elementary schools should be altered accordingly.

In Posen and East and West Prussia, therefore, all subjects have to be taught in German except Religion, and Polish or Lithuanian is used only so far as is necessary to make the subject of instruction comprehensible to the pupils. Instruction in religion is given to children in their mother tongue in the lower classes, but in the middle and upper classes German is the medium in religious teaching and the mother tongue is used only as an auxiliary medium as far as may be necessary.

III.—BELGIUM.

I propose to treat the position in Belgium rather fully, because in this case we can trace for five centuries the fluctuations in the relations of two great European languages, both officially recognised and both largely spoken by sections of the same nation.

The modern State of Belgium has been formed, not by the conquest of one race by another, but through the union, by a series of princely marriages, of various petty feudal States, some

of them including great self-governing cities, which had become practically independent after the break-up of the Carlovingian Empire. From the beginning these States had retained their own local institutions and languages, and to-day French is still the language of the Walloon Provinces and Dutch of the Flemish, sixty per cent. of the total population of $6\frac{3}{4}$ millions speaking Flemish and forty per cent. French.

Although the two languages continued to live in peace side by side from the earliest days of the union, it was inevitable that French, as the language of the Court, of diplomacy, and also to some extent of the Central Government at Brussels itself, should at first attain a certain predominance over Flemish. The latter language, however, remained the medium of communication between Brussels and the local authorities of the Flemish Provinces, and there are several cases on record where these local authorities insisted on the use of the Flemish tongue or protested against the appointment of Magistrates who did not know the language.

The situation changed, however, when Belgium was conquered by France at the close of the eighteenth century. The law of the 2nd of Thermidor, Year II., enacted that throughout the Republic no public document should be written or registered in any language but French, and the Flemish language was thus completely proscribed. During the subsequent union with Holland the attempts of that country to counteract the hold which French had gained and to encourage Flemish at its expense served only to identify the use of French with patriotic resistance to the House of Orange. As a result the provisional Government established by the revolution of 1830 and the Constituent Assembly which drew up the Constitution deliberated and legislated in French alone, and for several years afterwards anyone who dared to urge the claims of Flemish, be it ever so timidly, exposed himself to suspicion as an Orangist.

In 1839, however, Holland recognised the independence of Belgium, and the party now known as Flamingants began to put forward their claims. It may be mentioned that literary Flemish and literary Dutch are practically identical, but to begin with the Flemish Party objected to using the Dutch orthography which they termed the "heretical livery of Calvinism." In 1864, however, the Dutch orthography was definitely recognised for the literary language, but it is interesting to note that the Transvaal delegates who went to Brussels in the days of the old Republic were able to make themselves more intelligible to the uneducated

portion of their audiences than to the educated. After a prolonged agitation a law was passed in 1873 requiring a knowledge of Dutch in officials appointed to the Flemish Provinces, and in the same year another enacting the use of Flemish in criminal proceedings, while in 1878 its use was required currently with French in all official documents. In 1883 it first gained a legal foothold as a medium of instruction in higher education in the Flemish Provinces, and though the political and even international aspects of the question are of interest and far-reaching importance, I shall now devote attention to the schools with which the struggle has been most closely connected.

With regard to elementary education little need be said. Under the existing law there is no obligation to teach more than one language in elementary schools, whether State assisted or voluntary, and it is for the local authority to determine the programme of studies in accordance with local requirements. The children frequenting these schools, most of whom belong to the humble classes, therefore usually learn only Flemish or French as the case may be, though as a matter of fact a few Flemish elementary schools teach French as well as Flemish and a few Walloon schools Flemish as well as French. It will thus be seen that in Belgium the bilingual system scarcely affects elementary education. In the State supported or State-aided secondary and higher primary schools, both in the Walloon and in the Flemish Provinces, a knowledge of both languages is compulsory, except that in the German-speaking parts of the former German may be substituted for Flemish. Roughly speaking, the time devoted to each language is about an hour a day, but on the "modern" side of the secondary schools more attention is devoted to French.

There is a considerable difference, however, in regard to the medium of instruction in the schools in the two parts of the country. In the Walloon Provinces the medium of instruction in the secondary as in the elementary schools has remained exclusively French. In Flemish Belgium, however, under the law of 1883, to which I have already referred, French has been displaced almost wholly by Flemish as the medium of instruction, but at the same time mathematical, scientific, historical and geographical terms and names are to be taught as far as possible in French and Flemish, and the Government and Municipal Councils may at their discretion allow certain subjects which have to be taught in Flemish to be also simultaneously taught in French—a provision which has been extensively taken advantage of in schools where there is a considerable number of Walloon pupils. The net result is that in

all State supported or assisted secondary schools in Flemish Belgium Flemish is the principal and French only a subsidiary or accessory medium of instruction. As in order to enter the Universities a boy must obtain a certificate of having qualified in one or other of the secondary schools or must pass a matriculation examination in the subjects of their curriculum, a further result of the law is to render a very thorough knowledge of Flemish a practical necessity for all pupils of State schools in Flemish Belgium desirous of proceeding to the Universities.

As I have stated, however, the Act of 1883 only applies to State supported or State aided schools and the vast majority of secondary schools in Belgium frequented by the boys of the upper and middle classes are private schools, generally ecclesiastical in character, some being diocesan schools managed by the bishops, others belonging to the great religious orders of the Jesuits, Benedictines and Redemptorists, whose monasteries and colleges extend all over the country. In the Flemish Provinces, public school education—to borrow the English term—is thus almost entirely outside the scope of the law of 1883, and in these free schools, as they are called, instruction in all subjects has continued to be given almost exclusively in French, Flemish, however, being taught as a language with a view to qualifying pupils for judicial and official appointments.

The Flamingants accordingly turned their attention to making Flemish a compulsory medium in these free schools, and it is on the question whether the provisions of the law of 1883 shall be applied to them that the struggle is centred at the present day. What the result will be time alone can tell, but if the Flamingants succeed in their efforts they will have obtained an indirect control over the entrance examinations to the three most important of the four Universities of Belgium—in all of which, it must be remembered, French has hitherto been predominant.

Before leaving this part of my subject, I may observe that a movement has recently originated to obtain for German in the German-speaking parts of the Walloon Provinces the same privileges as obtained by the law of 1883 for Flemish in the Flemish Provinces.

THE BRITISH EMPIRE.

I.—GREAT BRITAIN AND IRELAND.

(1) SCOTLAND.

As regards Great Britain and Ireland, though there are three languages—Gaelic, Welsh and Irish—spoken by a considerable portion of the population, the question of language has never arisen as a national difficulty. There have been agitations in which the language question has played a more or less prominent part, but the prime cause of unrest has always been something else than language. This has been largely due to the fact, which has to be kept constantly in mind, that education has become a branch of State activity only within recent times. National education in England is only forty years old. It is true that in Scotland it is over two centuries old, and that even before the Statute of 1696 the education of the people had been a subject of decrees both in Council and Parliament and in the Assembly of the Church. There was, however, no aid given by the State, the Act of 1696 imposing upon the heritors of each Parish the duty of providing a school house and a salary for a teacher. The result has been that in Scotland practically all questions bearing on language and curriculum were left to be settled by each Parish, and as the responsibility for education was practically thrown upon the Church, education as far as the English and Gaelic languages were concerned was subordinated to religion. As a matter of fact in the year 1824 there were very few schools in the Highlands where Gaelic was mostly spoken and in these English alone was taught. Yet the Gaelic language, which was the mother tongue of a large portion of the inhabitants, was cultivated to a considerable extent, but almost always with the object of utilising it as a means for the propagation of religion. In 1872 the main Act as regards education in Scotland was passed, and curiously enough there is no reference in that or, indeed, in any other law to the question of language. The decision would in reality rest with each local authority if it were a subject of dispute, but in practice the English language is the medium as well as the

main subject of instruction. Where teachers are proficient in the Gaelic language they use it to a certain extent as a subsidiary medium for purposes of convenience. The demand, however, on the part of Gaelic-speaking parents for their children to acquire a sound knowledge of English has been so strong that their own language has been largely neglected, and during the past few years there has arisen an agitation for the encouragement of the study of the Gaelic language and for its use to a certain extent as a medium in the lower classes. Official recognition has in some respects been given to this demand by the institution on the part of the Education Department of a Leaving Certificate for Gaelic and by the award of special marks to teachers who qualify in the subject. The agitation in favour of a greater recognition of Gaelic in schools has been assisted by the fact that it possesses a valuable literature and is of great interest and importance from a philological point of view.

(2) WALES.

In Wales the inhabitants have always shown a greater local patriotism as regards the retention of their language, customs and traditions than has been the case in Scotland. The same general principles and tendencies have, however, applied. Wales has been administratively a part of England, and all regulations as regards Education that have been applied to England have also applied to Wales until within a comparatively recent period. It was in 1832 that the English Government for the first time placed a sum for public education on the estimates, the amount being only £20,000, and since then, though the grants have been enormously increased, they have continued to be made ostensibly for the purpose of encouraging local effort. It consequently follows that local autonomy as regards questions of language and even curriculum exists to a large degree, and it is only by such indirect means as are concerned with the testing of the efficiency of the schools which receive aid from the State that the Government intervenes.

There has of recent years arisen a strong movement for the use of Welsh as a medium of instruction in schools with Welsh-speaking children, as well as for a more thorough study of the language, and under the present Government a separate branch of the Board of Education has been entrusted with the responsibility

of looking after the education of Wales. There are, however, no statutory provisions dealing with the Welsh language. The duty of preparing schemes of instruction lies with the local authority for each administrative area, and all questions of language teaching or medium are accordingly left for settlement by the local authorities. Recent regulations by the Board of Education in connection with the granting of certificates of proficiency to pupils state that the passages for reading may be partly in Welsh and partly in English, that translation from the one language to the other may be substituted for composition, and that the examinations generally may be bilingual. As a matter of fact the importance of the English language is such that its position is never challenged by Welsh, and as regards the teaching of the latter it is more a question of what use should be made of it as a medium for Welsh-speaking children and what attention should be devoted to it as a language. The whole question of the teaching of Welsh in elementary schools has been largely discussed in Wales within the last few years. Various schemes have been put forward and Committees of Welsh educationalists have been making recommendations regarding the matter. There are three separate linguistic conditions in Wales, roughly, one-third being Welsh-speaking, one-third English-speaking, and one-third bilingual. It has been suggested that in Welsh-speaking districts Welsh should be the medium of instruction except in English, that English should be taught from the commencement, at first by the direct method and afterwards through reading, transcription, etc., until when Standard IV. is reached both languages should be used equally as media of instruction. In English-speaking districts, English would take the place of Welsh and Welsh would be taught as a second language. In the bilingual parts some educationalists have recommended as the best solution separate schools or separate departments in the same school where the numbers permit, while others have thought that the arrangements should approximate more closely to that for schools in English-speaking districts.

Indeed, these proposals are now being carried out to a large extent in Welsh-speaking districts, but in the upper classes of schools, even in Welsh districts, the medium is English.

Almost all the secondary schools and also the Training Colleges of Wales now provide instruction in the Welsh language, but a serious difficulty is experienced in obtaining an adequate supply of bilingual teachers.

(3) IRELAND.

As regards Ireland pretty much the same conditions exist. The English language holds a predominant position throughout the country, but according to the existing rules and regulations of the Commissioners of National Education in Ireland (1908-9), a bilingual programme of Irish and English, which must be introduced at the beginning of the school year, may be sanctioned in Irish-speaking districts or in localities where Irish and English are spoken. The Commissioners, however, sanction the bilingual programme only if three conditions are satisfied:

- (1) That the home language of the majority of the pupils is Irish;
- (2) That the teacher can speak Irish fluently; and
- (3) That instruction through the medium of English will be given to any exclusively English-speaking pupils whose parents desire it.

It is recommended that in schools in which the bilingual programme is adopted, Irish should be mainly the medium of instruction for the Junior Standards (I.-III.), and English mainly for the higher. The merit of the teaching is judged by the proficiency both in Irish and English, the former being the main factor in the case of the junior classes, and the latter in the case of the higher. Permission to use the bilingual programme is withdrawn if the school declines in usefulness under bilingual conditions or if the qualifications of the teacher as regards Irish may at any time become unsatisfactory.

The question that has, accordingly, arisen has been mainly concerned with the cultivation of Irish and its use to a certain extent as a medium of instruction. There is so much power left to local bodies in the matter that there is practically in no part of Ireland any real difficulty as regards language. Owing to a strong movement to cultivate to a greater degree the study of the Irish language, extensive provision is being made in the new University for teaching it, and the step will doubtless react to a certain extent upon elementary and secondary education.

DOMINION OF CANADA.

(1) QUEBEC.

The solution of the language difficulty in Canada is exceptionally interesting. When the Treaty of Paris was concluded in 1763 the number of French Colonists in Canada was 60,000. Now out of a population of about $5\frac{1}{2}$ millions they number $1\frac{3}{4}$ million souls. It is in the Province of Quebec, however, that the French element especially prevails, and there in 1901 they numbered 1,322,000 out of a total population of 1,648,000. The other Province in which they play a prominent part is Ontario, where they number about half a million out of a population of a million and three-quarters. There is also a considerable French element in Manitoba and in the North-West Territories, and difficulties arose in the schools of these Provinces in 1896 and 1905 respectively.

If we deal with Quebec first, we shall find that notwithstanding the complexity of the problem its essential elements are clearly defined and easy to grasp. There are two races living side by side under the same laws but speaking different languages and practising different religions. The French, though the conquered race, are in the great majority in the Province, and in addition to the race division, the French are practically all Roman Catholics and the British Protestants. Indeed, it is the difference of religion rather than that of race or language that has determined the final form of the educational system of Quebec. They looked upon the schools as an essential factor for preserving the integrity of their religion, their language and their race. Moreover, as Roman Catholics they showed a feeling of deep distrust towards any considerable exercise of control over public education by the State. They desired schools in which their religion should be taught by their own teachers without any restrictions by the State, in which their own language should predominate, and which though aided by the State, should be under their own supervision. The minority on the other hand demanded schools that would satisfy all sections of Protestants and that would be in the main secular, just as those of the French were avowedly denominational. It will thus be seen that a common school system was impossible under these conditions, and the solution in

Quebec was, accordingly, based on a definite division of the population into Roman Catholics and Protestants, in other words into French and British.

Educational administration in the Province of Quebec is under the control of a Department of Public Instruction, carried out, not by a responsible Minister, but by a high permanent official, called the Superintendent, who is safeguarded from political influences. This officer acts under a Council of Education, of which he is *ex-officio* President, and which is essentially denominational in its composition, being in fact divided into two Committees corresponding with the two religions. Each Committee deals with matters affecting its own schools, and the Superintendent is *ex-officio* a member of each Committee, but votes only in that to which he belongs by religion.

For educational purposes the Province is divided into sections designated School Municipalities, in each of which a body of five "School Commissioners" must be elected representing the religious majority for the time being. In any Municipality, however, the religious minority may at any time give notice to the School Commissioners that they dissent, and at the next election they have the right to elect three "School Trustees" to represent them. In practically every Municipality, therefore, if not in all, there are two local School Authorities, the one representing and controlling the schools of the majority and the other those of the minority.

Each of these Municipalities is sub-divided into School Districts, in each of which the Commissioners and Trustees must provide a school for their co-religionists, though either body may unite two or more of the districts for one school. The duties of the Commissioners and Trustees are generally to manage their respective schools, subject to the direction of the Catholic or Protestant Committee of Council as the case may be, to conduct examinations and to engage and dismiss teachers, and it is also their duty to fix and collect the taxes they consider necessary for the maintenance of the schools under their control, in addition to the Government subsidy.

These taxes are imposed uniformly according to valuation on all real property in the Municipality. When there is a dissentient minority the members of that minority are only liable to pay taxes to the Trustees and are completely exempted from the control of the Commissioners, but in a Municipality where no Trustees exist the religious minority must pay taxes to the Com-

missioners. I may also explain that for educational purposes a ratepayer is taken to belong to one or the other of the two religious divisions.

In addition to the local taxation thus raised grants are given from the Provincial School Fund, the share of the grant to each Municipality being divided between the Commissioners and Trustees in proportion to the number of children attending their respective schools.

It will thus be seen that there is a complete dual system of schools throughout the Province, that these schools possess equal rights and freedom, and that they are under the control each of a Committee of the Central Council of Education, both Committees being represented by the same administrative officer. The State rights and local privileges are identical and in practice the two sets of schools coexist without any fear of friction, as there is no necessity for their coming into conflict. The solution practically means that there are English Schools and French Schools as separate and distinct as if they were in England and in France, but each receiving their proportionate share of aid from the same State.

(2) ONTARIO.

In Ontario, as I have stated, the French number less than a third of the population, and the system of educational administration is accordingly different, the more or less secular school of the British being recognised as a Public School of the Province and the denominational Roman Catholic "separate" school being the exception.

All ratepayers in Ontario must be supporters of the public schools, no matter what may be their religious belief, but it is provided that any number of heads of families not less than five, being residents of the locality and belonging to the same sect, may unite and establish a separate school. The French Roman Catholics in the Province have generally availed themselves of this provision. These separate schools, however, are all under Government inspection and are generally conducted in accordance with the same regulations as the public schools except, of course, in regard to religious instruction and the use of French. Broadly speaking, the local organisation and the provisions for taxation are similar to those of Quebec.

(3) MANITOBA.

In Manitoba the dual system of Quebec existed up to 1890, when an attempt was made to bring all schools under Government supervision. In that year the Provincial Legislature passed a law establishing a Department of Public Instruction and all public schools were placed under its direct control; the books in use were made a matter for effective supervision; finally, religious instruction was strictly confined to certain hours of the day and ceased to be compulsory. The Catholics were allowed to retain their separate schools, but if they were to be subsidised they had to conform to the Government conditions, and their denominational character was thus destroyed. The Catholics were up in arms at once, and a long and bitter struggle ensued. The French Clergy headed a campaign of dogged resistance. They challenged the legality of the new law on the ground that the Act of Union by which Manitoba entered the Dominion forbade the Province to pass any legislation affecting the rights or privileges of the denominational schools then in existence. They lost their case in the Canadian Courts, and appealed to the Privy Council, but the latter also held that the Act of Union had not been violated, inasmuch as it was the subvention of the schools and not their existence that was affected.

They had still, however, open to them an appeal to the Governor-General against any Act prejudicial to the rights or privileges of religious minorities in regard to education. This time they were successful, but the Provincial Government declined to submit, and it became necessary for the Federal Government to introduce a reparatory Act to override the local Legislature. A change of Ministry, however, gave Sir Wilfred Laurier his opportunity, and in 1896 he effected a settlement. It was then provided that English was to be obligatory, but that French should be taught in all schools if there were ten or more children of French origin whose parents desired it, and that though the schools were to be neutral in religion, they should at the request of the parents concerned be open after 3.30 to the priests if there were at least ten Catholic children in attendance or 25 in the case of towns. Concessions were also made regarding the appointment of teachers and inspectors.

(4) N.W. TERRITORIES.

A similar crisis arose in connection with the North-Western Territories in 1905. There the separate schools are allowed to survive, but under much the same conditions as were introduced

by the law of 1890 in Manitoba. All teachers are submitted to an identical training, and the system involved close supervision of the school books in use, effective inspection, and complete secularisation of the school from 8 a.m. to 3.30 p.m.

SOUTH AFRICA.

(1) COLONY OF THE CAPE OF GOOD HOPE.

Though the language question has at times been the cause of much discussion, and, indeed, of considerable feeling since the grant of Responsible Government to the Cape Colony, it is rather remarkable that at the present time there are actually no statutory provisions in that Colony dealing with the use or the relative place in the schools of the English and Dutch languages.

In the year 1865 it was laid down in the Schedule to the Education Act that in A.1. and A.2. schools instruction during ordinary school hours should be given through the medium of the English language, and in A.3 schools so far as practicable through the medium of the English language within twelve months after the first establishment of the school. This provision continued in existence until 1882 when there was issued an additional regulation repealing so much of the School Regulations contained in the Schedule to the Education Act of 1865 as provided that the instruction during ordinary school hours should be given through the medium of the English language only.

As regards the administration of the Cape Education Department the only additional regulation which exists is concerned with Inspection, and states that pupils may "take their standards" either in English or in Dutch. If both English and Dutch be taken only half of the English and half of the Dutch Reading Book need be prepared.

It will thus be seen that there have not been any statutory provisions regarding the use of English and Dutch as languages or as media in the Cape Colony since 1882. The question is one which is really left in the hands of School Boards, or Committees,

and, as far as the law is concerned, either English or Dutch or both may be used by the teacher as the medium as best suits the needs of education. Complete freedom as regards language is accordingly left to the local authority.

It is only in a comparatively small number of schools, and even then in the lower classes, that the Dutch language is used as the medium of instruction, but it is taught as a language in almost all the schools. It has been asserted, however, that, while local authorities have ample power and freedom as regards the choice of a medium, the regulations and curriculum as well as the administrative procedure adopted by the Education Department practically compel the various schools to use English as the medium as well as the main language of instruction. It is, however, apparent that any School Committee could at any time claim the rights and the freedom which are allowed to them under the law.

As regards the University of the Cape of Good Hope which was inaugurated by an Act of the Legislature in 1873 and which took the place of the Board of Examiners established in 1858 under Sir George Grey, there is no stipulation in the Charter or in the Acts of Incorporation as regards language, but in all examinations since the foundation of the University English has been compulsory and Dutch optional.

(2) TRANSVAAL.

In the Transvaal, under the Education Act of 1907, questions of language are specifically and clearly dealt with. It is enacted that in the lower standards of any Public School the native language of the pupil shall be the medium of instruction for such time as is required to ensure proper educational progress and development. Where English is not the native language, its use as a medium has to be gradually introduced, and after the Third Standard it is the compulsory medium for all children in all subjects, with the exception of, at most, two subjects, which the Board for the District may recommend to be taught through the medium of Dutch.

As regards the teaching of the two languages, English is compulsory, and no pupil can be promoted from one standard to

a higher unless he can show *inter alia* that he has acquired a reasonable knowledge of and is making satisfactory progress in English.

As regards the Dutch language, on the other hand, adequate provision for its teaching has to be made in every Public School, and every child is expected to receive instruction in Dutch unless his parents otherwise desires. The study of Dutch as a second language is begun at such time as is considered on educational grounds to be convenient.

It will thus be seen that in the Transvaal Education Law the English language is compulsory as a language, and as a medium after Standard III. When it is the native language of the pupil, Dutch is used as a medium up to Standard III., and is taught thereafter as a language only. It may, however, as I have already stated, be used on the recommendation of the Board, as a medium for two subjects.

(3) NATAL.

As regards Natal, the language question has never arisen in an acute form. After the Peace of Vereeniging, Utrecht and Vryheid were transferred to Natal, and some difficulty arose as to the use of English and Dutch as languages, and as media. There have, however, been no statutory provisions or departmental regulations regarding the language question in Government aided schools. English has always been the medium, but the younger children have been taught to a certain extent through the medium of their mother tongue and Dutch has been taught for as much as two hours a day up to Standard III. In Standard IV. and upwards one hour a day has been given to Dutch and the rest of the time to English. As a matter of fact, however, the teachers have been left a free hand as regards the use to be made of the two languages.

In Government schools five hours a week has been the usual allowance for the teaching of Dutch. In all schools religious instruction has been given in Dutch where parents so desired. Similar concessions have also been made to the German language.

(4) ORANGE RIVER COLONY.

The educational legislation of the Orange River Colony is the most recent, as regards language, in South Africa. The School Act of 1908 lays down that up to and including Standard IV. every child must be taught through the medium of the language which it speaks and understands best, but at the same time the second language must be gradually introduced and resorted to as a subsidiary medium of instruction and its use increased as the child progresses. In classes including both English-speaking and Dutch-speaking children both languages have to be used as equal mediums as far as possible, and the teacher is, accordingly, required to pass freely from one medium to the other in teaching his class. The law provides that from Standard V. onwards at least three principal subjects in each Standard must be taught through English and three through Dutch, and in the teaching of any principal subject the language which is not used as the medium has, as far as possible, to be used as an additional medium.

During the first three years after the passing of the Act, the Director of Education has the right to grant exemption to pupils in classes above Standard IV. from the one or the other medium, and after that period he may grant such exemption for certain specified reasons.

In and after Standard IV. both English and Dutch have to be taught as languages to each child, but under certain specified conditions exemption from the one or the other language may be obtained. Below Standard IV. the study of the second language is optional.

APPENDIX.

Correspondence and papers in connection with the Conference Meeting of 8th February, 1910, which passed between the Director of Education and the Attorney-General, Prime Minister, and Speaker of the House of Assembly.

SUMMARY.

(To assist in understanding the following correspondence.)

1909—23-24th November.—First meeting of Conference of 20 delegates summoned by Attorney-General. Resolution on language question not replied to.

1910—1st February.—Second meeting of Conference. Attorney-General's reply on language question and failure of negotiations.

4th February.—1. His Excellency the Governor has interview with Attorney-General regarding the re-opening of the negotiations.

2. His Excellency asks Director of Education to see him.

5th February.—Interview between Director of Education and Attorney-General, when former mentions that he has certain proposals for a *modus vivendi*.

6th February.—Interview between Director of Education and Attorney-General, when former's proposals, submitted in writing, are approved by the latter after certain deletions.

7th February.—1. Letter from Dr. King, one of the delegates, appears in the *Friend*, criticising Attorney-General.

2. His Excellency despatches telegrams to certain delegates asking them to attend meeting at his office on the following morning.

3. Attorney-General at a meeting at Reddersburg criticises delegates and says he will not go back one step.

8th February.—1. Meeting of delegates presided over by His Excellency.

2. Extracts from letter from Attorney-General to His Excellency read to delegates.

3. Director of Education's proposals after discussion are submitted and accepted.

4. Chairman of delegates forwards copy of approved proposals and resolution to absent delegates.

5. His Excellency wires to Attorney-General as to result of Conference.

9th February.—1. Director despatches telegram to Attorney-General informing him that delegates have approved of statement agreed to by him on the 6th.

2. His Excellency leaves for Smithfield.

3. Report of General Hertzog's speech at Reddersburg appears in *Friend*.

4. Two of the delegates, Dr. Ward and Canon Orford, call upon Director regarding altered situation thus created, and at his suggestion they telegraph His Excellency to interview General Hertzog on matter at Smithfield.

10th February.—Reply by telegram received from His Excellency after seeing General Hertzog at Smithfield that delegates should proceed as arranged at meeting on 8th.

16th February.—Letter and telegram sent to all delegates asking them to attend meeting on 21st February.

(Director absent in Ladybrand.)

18th February.—Interview between Director and Attorney-General at which former gives details of meeting and is asked to prepare a statement for Attorney-General to read to delegates.

19th February.—Statement submitted to Attorney-General.

21st February.—10 a.m.—Director of Education receives Attorney-General's own statement containing first reference to restrictions.

11.30 a.m.—Director of Education has interview with Attorney-General regarding restrictions.

5 p.m.—Delegates meet and reject proposals as restricted.

1st March.—Interview between Director of Education and Attorney-General in consequence (1) of a letter from Mr. Dewdney Drew, M.L.C., to Attorney-General, enclosing copy of article that appeared in the *Transvaal Leader*, charging him with a breach of faith, and (2) of comments regarding matter in *Post* and *Friend*.

3rd March.—Statement regarding negotiations at Conference meeting forwarded to Attorney-General by Director.

4-15th March.—Minutes (eight) between Attorney-General and Director *re* Conference.

21st March.—Meeting of Cabinet (which Director attended).

26th March.—Minute to Attorney-General and Director's resignation.

30th March.—1. Prime Minister lays last two documents on table of the House, but withholds rest of correspondence.

2. Attorney-General answers questions in the house in which he throws responsibility on Director.

31st March.—Memo. from Director to Prime Minister objecting to the answers and procedure and demanding production of full correspondence.

4th April.—1. Correspondence as selected, arranged, and sub-edited by the Attorney-General without reference to or consultation with the Director, laid on table of House.

2. Director, after considerable difficulty, obtains a copy of correspondence.

5th April.—1. Debate on Education question and on Director's resignation in House of Assembly.

2. Letter from Director to Speaker regarding manner in which documents were selected, arranged and sub-edited, and other documents withheld, read to the House.

3. Director severs his connection with Education Department.

SOME OF THE DOCUMENTS REFERRED TO IN THE FOLLOWING CORRESPONDENCE.

1. The first registered document in the official correspondence—the Director's proposals of the 6th February, 1910, as altered by the Attorney-General—was not included by him in the correspondence printed and supplied to Members of Parliament. It cannot accordingly be inserted here.

2. EXTRACTS OF LETTER OF 6TH OF FEBRUARY, 1910, FROM ATTORNEY-GENERAL TO HIS EXCELLENCY THE GOVERNOR, AS READ AT CONFERENCE BY HIS EXCELLENCY ON 8TH FEBRUARY, 1910. IT WAS WRITTEN AFTER THE ABOVE DOCUMENT WAS AMENDED AND APPROVED.

“.....if you could arrange a personal interview with some of those who are near enough to come over say on Tuesday to have an interview with you and to ascertain from them whether they are desirous of re-opening the discussion on the lines suggested by me. If so a preliminary step can be taken by arranging an interview between them and Mr. Gunn during my absence. Mr. Gunn is fully informed as to my views and I am prepared to leave things in his hands both with regard to the manner in which the solution can be found and the procedure to be adopted.....

“.....As to your formulation of the points to which I may be prepared to agree I think that the first part is not stated quite in harmony with what I suggested to the Conference and if you can see Mr. Gunn he might be able to point out to you the difference. I would have been only too glad to do so myself but as you know I am leaving early to-morrow and my object in referring it to Mr. Gunn is solely in order that you may have as clear a view of my

position as possible. I am very anxious that there should be no further misunderstanding.....

" In conclusion I may be allowed to say that being sincerely desirous of removing any grievance which may really exist I shall be very glad if your mediation should prove successful."

3. REPORT OF CONFERENCE MEETING OF 8TH FEBRUARY.

His Excellency the Governor, with the consent of General Hertzog, invited those of the delegates who could conveniently come to Bloemfontein at short notice to meet him at his office on Tuesday the 8th February, 1910, with the object of trying to find a satisfactory solution of the questions which had arisen in connection with education. The following delegates were present:— Dr. A. B. Ward, T. W. Hoseason, James Strang, E. G. Alston, Rev. H. J. M. Withers, Rev. F. F. Cosnett, Rev. Canon Orford, and Rev. Dr. Porteous. General Hertzog was absent from Bloemfontein, but the Director of Education was present at the meeting.

After a full discussion, during which the difficulties connected with the question of the medium of instruction were explained by the delegates, the Director of Education proposed the following solution:—

The provisions of the School Act, 1908, shall be administered according to the following understanding:—

- (1) That, subject to the principles laid down in the Act, especially as regards the equal treatment of the two languages, children whose mother tongue is English shall receive their instruction through the medium of that language, except in so far as it may be desirable that they should receive instruction in any subject through the medium of Dutch with a view to their acquiring a thorough knowledge of that language.
- (2) That, provided adequate provision is made to carry out the law as regards the teaching of both languages, unilingual teachers may be appointed to meet the provisions of the foregoing section.
- (3) That no unilingual teachers in the service or to be hereafter appointed under these conditions shall be detri-

mentally affected as regards salary or promotion owing to an inadequate knowledge of the other language, provided that such teachers may not receive increments of salary if in the opinion of the Director they are not making satisfactory endeavours to acquire a knowledge of the second language.

The delegates present thereupon passed a resolution to the following effect:—

“ That the undersigned representatives who were present at a meeting presided over by His Excellency the Governor, and at which the Director of Education was also present as representing the Attorney-General, after a full discussion of the practical difficulties that exist in connection with the Medium Clauses of the School Act, 1908, express their satisfaction with the annexed assurance which the Director of Education said the Attorney-General was prepared to give. They further feel confident that the effect of the application of this assurance will be to remove permanently the difficulties and disagreements of the past.”

4. REPORT OF MEETING SENT TO GENERAL HERTZOG BY TELEGRAM.

(No reply was received to this telegram.)

9th February, 1910.

TELEGRAM

From

To

Confidential.

DIRECTOR OF EDUCATION,

GENERAL HERTZOG,

Smithfield.

At meeting yesterday eight of delegates were present and after a full discussion of difficulties they accepted the statement agreed upon between you and me and passed the following resolution:—

Begins.—That the undersigned representatives who were present at a meeting presided over by His Excellency the Governor, and at which the Director of Education was also present as representing the Attorney-General, after a full discussion of the

practical difficulties that exist in connection with the Medium Clauses of the School Act, 1908, express their satisfaction with the annexed assurance which the Director of Education said the Attorney-General was prepared to give. They further feel confident that the effect of the application of this assurance will be to remove permanently the difficulties and disagreements of the past. Signed—Ward, Hoseason, Strang, Alston, Withers, Cosnett, Orford, Porteous.—Ends.

Ward has sent confidential copies of statement and resolution to other delegates. The eight present at meeting are formed into a Committee to present resolution to you. Would Tuesday 22nd instant be a suitable date? I think it important that early official statement be made.

5. DRAFT STATEMENT TO BE MADE TO CONFERENCE PREPARED BY DIRECTOR OF EDUCATION FOR ATTORNEY-GENERAL AT THE REQUEST OF THE LATTER, AFTER HE HAD BEEN INFORMED IN DETAIL OF WHAT HAD TAKEN PLACE AT THE CONFERENCE, 19TH FEBRUARY, 1910.

GENTLEMEN,

You will recollect that most of the discussion at our meetings has been concerned with the Medium Clauses of the Act. Since we last met the Director of Education has put forward certain suggestions which it is hoped will remove any difficulties that may exist, and it is in connection with these suggestions that you have been called together to-day.

The language clauses of the School Act, 1908, are, as you are aware, based upon the following general principles:—

- (1) That there shall be equal treatment, as far as possible, of both the English and Dutch languages.
- (2) That English and Dutch shall be equal mediums of instruction, and that every child shall be taught in every subject through the language best spoken and understood by such child; and
- (3) That, subject to certain exceptions, the study of the second language shall be begun by every child after it has made a certain amount of progress in its education.

In connection with the application of these principles it has become necessary, owing to the special circumstances of the country, to deal with cases in which individual classes are composed partly of English-speaking and partly of Dutch-speaking children. In dealing with such cases I have always felt and still feel that it is of prime importance for the future of South Africa that the children of both races should be educated not only in the same schools but on the same benches. Certain objections, however, which have been raised, appear to indicate that the general principles of the Act, especially as regards the medium, are largely misunderstood, and that their application in mixed classes has been the cause of a certain amount of dissatisfaction.

After considering the difficulties which have been raised by you I feel that greater flexibility might be introduced with advantage in order to adapt the provisions of the law to exceptional circumstances, and I am accordingly prepared to agree to the understanding which the delegates came to with the Director of Education at the meeting called and presided over by His Excellency the Governor during my absence from Bloemfontein. I have gone carefully into the matter with the Director, and I am satisfied that that understanding will enable us to apply the principles of the Act in such a way as to remove the objections which have been raised without sacrificing the ideal of a common classroom for the children of both races.

I do not propose to go into details as to the manner in which the principles will be applied, as the Department may find it necessary to introduce modifications from time to time to meet different circumstances, but in schools in which classes are composed partly of English-speaking and partly of Dutch-speaking children it will, I feel convinced, be found possible to carry out the principles I have mentioned by an interchange of teachers between classes, and with little, if any, duplication of work or staff.

I am glad to learn that these suggestions meet with your approval, and I desire to thank you for the interest you have shown in the question and for the personal trouble you have taken in coming to meet me.

6. REPORT OF CONFERENCE MEETING HELD ON 21ST FEBRUARY, 1910.

A meeting for the purpose of finally considering these proposals was held at the Normal School, Bloemfontein, on Monday,

the 21st February. There were present, General Herzog, the Director of Education, and the following delegates:—Dr. A. B. Ward, Rev. Canon Orford, James Strang, T. W. Hoseason, Dr. J. Forbes, Rev. H. J. M. Withers, Rev. D. H. Brown, A. G. Tranmer, E. G. Alston, H. Ponting, and Dr. A. King.

General Herzog made the following statement in reference to the proposals:—

STATEMENT READ BY GENERAL HERZOG TO DELEGATES ON 21ST FEBRUARY, 1910.

This meeting is the outcome of an interview with His Excellency the Governor at which I was informed by His Excellency that there was an impression with some of the members of the Conference after the last meeting that the failure of the Conference to arrive at a solution of the question in regard to the medium was due mainly to a misunderstanding, and that this misunderstanding could in all probability be removed and a satisfactory result arrived at upon the basis of my previous suggestions to the Conference if I could arrange to meet you once again. I, however, intimated to His Excellency that I was not prepared to take the initiative, after what had happened at the Conference, in any attempt to re-open the discussion, but that if so desired on the part of the members of the Conference I would be prepared to meet them once more. With this object, therefore, of once more trying to find a solution of the question the present meeting was arranged and I was asked to meet you here to-day.

I shall, therefore, begin by repeating the suggestions made to you at our previous meeting, to wit:—

- (1) That in the case of larger town schools Section 15 of the School Act be so administered as to allow a duplication of staff for one or two of the classes, where that is deemed necessary by the Committee for the better education of the pupils.
- (2) That with respect to Section 16 (1) of the School Act, the last proviso thereof be so applied as to use the additional medium only to the extent to which the teachers may find it necessary for ensuring the necessary comprehension of the subject matter of instruction by the pupils whose language is thus used in a subsidiary manner.

On this basis and subject to certain conditions and limitations stated at the time, and which I shall repeat later on, I was

prepared to discuss the question with you in order to arrive at a satisfactory solution. I may state here that I am still prepared to do so, should you so desire.

After my interview with His Excellency, however, in which I was informed that you, or rather some of you, were prepared to advise a solution on the foregoing basis, Mr. Gunn submitted to me another scheme in regard to the administration of Section 15 through which a solution might be arrived at, slightly differing from the previous one, and which he thought better and probably more acceptable to you. He pointed out to me how this scheme would work in practice, as he has no doubt done to those of you to whom he submitted it subsequently, and I authorised him, in case you were desirous of again meeting me, to lay it before you and to indicate that I would be prepared to discuss it with you should you prefer it to the foregoing one. This scheme has found the approval of some of you, I find, and as no doubt all of you have been supplied with copies of the same I need not repeat it.

The question for you now is to say in how far you are prepared to advise me to adopt the one or the other as a satisfactory solution of the medium question in connection with Section 15.

It is obvious, however, that the second scheme, suggested by Mr. Gunn, is not intended to be applied, if adopted, unrestrictedly, but that, like the former, it can be adopted by me only subject to the limitations contained in my previous statement to you, and which, as was understood between Mr. Gunn and myself when we discussed it, were also to apply in its case.

In order, therefore, to prevent any further misunderstanding in the future, I wish to state that, provided you are satisfied that the scheme will be acceptable to the section of the community represented by you, I am prepared in the administration of Section 15 of the Act to adopt the suggestion of either scheme subject to the following restrictions:—

- (1) That they are to be applied in the larger town schools only, where the English-speaking children predominate, and the Committee desires their application.
- (2) That they are to apply only to Standards I. to IV. inclusive and to the teachers in connection therewith, and further in such a manner that at least each alternative teacher shall be able to instruct efficiently through the

medium of Dutch, so as to allow, *inter alia*, an interchange of teachers between the Standards.

- (3) That they shall, *mutatis mutandis*, apply equally to Dutch-speaking children and to teachers whose mother tongue is Dutch, whether bilingual or not.
- (4) That in case it be found in any such school that in consequence of any teacher not knowing sufficient Dutch the Dutch-speaking children in any standard are detrimentally affected in their education, the competent authorities shall upon complaint being made, provide for the interests of such children in any manner that they may deem necessary.

These conditions are in the main the same as those indicated to you in my previous statement, and in so far as they are new they will be found to be necessitated by the nature of the alternative solution suggested by Mr. Gunn and which, as already stated, I have authorised him to submit to you as a basis for a solution.

After sitting in private for some time the delegates submitted the following resolution:—

RESOLUTION.

That, in view of the limitations now put upon the proposition presented at the last session of the Conference, this meeting rescinds its resolution passed on February the 8th, 1910, and regrets that it is unable to offer any further advice or suggestion to the Minister for Education.

A vote of thanks was then passed to General Herzog and the proceedings terminated.

7. THE FOLLOWING IS THE ARTICLE WHICH APPEARED IN THE *Transvaal Leader* ON THE 24TH FEBRUARY, 1910, AND WHICH WAS COMMENTED ON IN THE BLOEMFONTEIN *Post and Friend*. IT WAS THE IMMEDIATE CAUSE OF THE CORRESPONDENCE BETWEEN THE ATTORNEY-GENERAL AND THE DIRECTOR OF EDUCATION IN CONNECTION WITH THE FORMER'S ANXIETY TO CLEAR HIMSELF FROM THE CHARGE CONTAINED THEREIN.

GENERAL HERTZOG ON HIS DEFENCE.

What is worst in the collapse of the Bloemfontein education negotiations is the direct manner in which they bring General Hertzog's good faith into question. It is no longer possible to Burke this issue, which, in view of General Hertzog's possible place in a Union Ministry, and consequent influence in Colonies other than his own, becomes of interest to all South Africa. On the 8th inst. Mr. Gunn (the Director of Education) submitted in General Hertzog's name certain three proposals to a convened nucleus of the conference of representative parents which had last separated at the beginning of the month. These proposals were, briefly: (1) A mother-tongue education for English-speaking children, except in so far as it might be wise to teach any subject through the medium of Dutch, with a view to their acquiring a thorough knowledge of that language; (2) appointment of unilingual teachers for the above purpose; and (3) such teachers not to be prejudiced in respect of salary and promotion unless in the opinion of the Director they were not making satisfactory effort to acquire the second language. On these proposals a member of the conference asked the direct question: "What authority had the Director to make them? Was he to be regarded as the Minister's plenipotentiary?" Thereupon our information is that His Excellency the Governor, in whose office the Conference was sitting, read a letter which purported to be from General Hertzog, stating that he knew of the proposals above referred to, and giving Mr. Gunn power to treat for their acceptance. What is more, we learn that Mr. Gunn's three proposals were interlined with alterations in General Hertzog's own hand-writing, bringing them into the shape in which they were submitted to the Conference, and have since been published. In this shape they were initialled by the members present, who thereupon separated, having first resolved that on getting the endorsement of the other members not then present they would go as a deputation to General Hertzog

and courteously acquaint him that they had accepted the terms of his offer, which, as their motion put it, was calculated "to remove permanently the difficulties and disagreements of the past."

What was their surprise to find, when they re-assembled before him on Monday, having duly obtained the endorsement of their colleagues, that he had now fenced around his offer with a bristling hedgerow of new conditions. His offer had ceased to be one on their acceptance of which he was present finally to close with them; it had degenerated into a mere tentative basis of discussion, which, although it was put forward by himself, he was now seeking an excuse to recede from by means of various quibbles and equivocations. The concession of a mother-tongue education for English-speaking children was to apply, it now appeared, only in the larger town schools, where the English-speaking children were a majority and where the School Committee did not object. General Hertzog's gross inconsistency and race prejudice must here be pointedly noted. He is willing that the committees shall take away the right to a mother-tongue education from English-speaking children; he will, in no circumstances, allow them to deprive Dutch-speaking children of the same right. When he was asked how many schools in the whole Colony his concession would affect, he replied that he supposed three. In the Harrismith school, however, which is one of the three, the Committee are preponderantly Dutch. Consequently, though the majority of the children are English, they would probably not be allowed to be taught through their mother-tongue. There were other qualifications which General Hertzog made, principally as to the concession regarding uni-lingual teachers. These were, however, hardly worth bothering about either way when the apparent broad concession of a mother-tongue education was whittled down so far as the English-speaking children were concerned to a qualified grant of this privilege in only two schools in the whole Colony. No wonder the Conference felt that they were dealing with a man who was either entirely irresponsible or deliberately playing false with them, and that they declined, accordingly, to offer any further advice.

General Hertzog, we repeat, stands now on his defence in the important article of his public sincerity—his honesty and good faith as a Minister of the Crown. It had previously become impossible, as was said to his face in the Free State Parliament, to accept his statements without corroborative testimony, so reckless had he shown himself on matters of fact. His charges against the

three inspectors, whom he dismissed without the hearing which was promised them, were all irrefutably disposed of in Parliament; as were also at a later date some similar charges which he brought against the late principal of the Eunice High School. There now arises, unhappily, *prima facie* reason for doubting his straightforwardness. This doubt is most reluctantly forced upon us. When other organs voiced, or at least implied it, we have refused to give it the smallest room in our own mind; but in view of the facts which we have set forth above, it is best to say plainly that General Hertzog must now be considered suspect until he clears himself. His speech at Reddersburg subsequent to the date of his offer through Mr. Gunn—a speech in which he declared he would not go back an inch from his old position—was hard enough to reconcile with honest negotiations; but his quibbling on Monday dashes any such theory to pieces unless he can cement it together again with a fresh explanation. Failing his ability to do so, the question must be asked: Is General Hertzog a fit person to belong to the future Union Ministry?

We hope the knowledge of the facts may reach Lord Crewe, that the latter may judge for himself in what sense the promise has been kept which was made to his lordship to confer with the English-speaking section. To them there remains but one course—that of re-affirming the broad principle of a mother-tongue education, except where the parents may otherwise desire. There can be no objection to the teaching of the second language as a language; on the contrary, the advantage of such teaching is becoming generally recognised by both races. But every parent ought to have the right to claim for his child that it shall be instructed through the language which it better understands. General Smut's Act would, we believe, satisfy all demands, and it is possible that the Union Parliament will be able, by means of financial pressure, to get this Act adopted by the Provincial Council of the Free State. By the terms of the Constitution the Free State will only be entitled to a grant of about £80,000 for elementary education, being the sum applied to that purpose in 1908 by the Free State Parliament; but to meet subsequent needs it will require over £100,000. If offered the extra sum on condition, say, of taking over General Smuts's Act, there can be little doubt of its affirmative reply. Meanwhile General Hertzog's impossible attitude makes another sign of the dividing of parties—the reactionaries are gathering to their own company in order to be combated and beaten by the united progressive forces of both races.

CORRESPONDENCE BETWEEN THE ATTORNEY-
GENERAL AND DIRECTOR OF EDUCATION, ETC.

(1.)

STATEMENT BY THE DIRECTOR OF EDUCATION AS REGARDS HIS PRO-
POSALS AND THE NEGOTIATIONS WITH THE DELEGATES AT THE
MEETING ON THE 8TH FEBRUARY, 1910.

To the Honourable
THE ATTORNEY-GENERAL.

On Friday the 4th February His Excellency the Governor, Director of Education to Attorney-General, as the result of an interview with you, asked me to see him in connection with a suggestion that negotiations should be reopened with the delegates in the hope of effecting a settlement of the educational difficulties. On the afternoon of Saturday the 5th, I mentioned to you that I had certain suggestions which I thought might lead to a settlement, and as you were leaving on Monday morning for Reddersburg you asked me if I could see you on Sunday evening at 8.30. At that interview I stated that in my opinion the delegates objected mainly to the use of the dual medium in mixed classes as laid down in Section 15 of the Act and to the restriction imposed on Committees in connection with the appointment of unilingual teachers. As we have always considered that there are serious objections to the duplication of classes, I pointed out that it would be possible, as was suggested by the Rev. Mr. Brown of Harrismith at the last meeting of the Conference, to staff a school in such a way that the difficulties which had arisen might be met by having alternate classes taught by Dutch and English teachers respectively without the necessity of having recourse to duplication of staff or to parallel classes. Most of our interview was confined to this aspect of the question. I submitted to you in writing my proposed solution, and, after the deletion of two minor portions, it was approved.

You then informed me that you would reply to the Governor in regard to his suggestion to invite to Bloemfontein the delegates who were near at hand, and it was agreed that I should ascertain from them what their actual difficulties were, and that I should put forward these clauses as a solution if I found that they were likely to be accepted.

Our interview was a comparatively short one, and, if I remember rightly, was confined to the discussion of a solution for the practical difficulties which the delegates were likely to raise. I looked upon my proposals as an alternative, with some modifications, to what you suggested when you met the delegates on the 1st February, and they were, of course, an attempt to deal with certain definite difficulties connected with Section 15. I did not consider that these provisions, however, subject to any limitations beyond those contained in the document itself. If I had thought that any further conditions were to be laid down, I should have suggested that they should be distinctly specified.

At the Conference itself, at which His Excellency the Governor presided, there was a long discussion, and, as I anticipated, the delegates made it plain that their main objections were to the dual medium for mixed classes and to the conditions regulating the appointment and the tenure of office of unilingual teachers. When this became clear I submitted my proposals as a solution. Several of the delegates objected to the number of reservations which the clauses contain, and some of them even expressed the opinion that the last proviso of Section I. might still be held to mean that the dual medium could be put into operation in connection with every subject. Indeed amendments were actually proposed, but I told the delegates that these proposals had received your approval and that I could not negotiate any further unless they accepted them as they stood. After some further discussion they accepted the statement and passed a resolution to that effect.

During the discussion I pointed out that, put briefly, the main principles of the language clauses of the Act were (1) the equality of the two languages, and (2) mother tongue instruction for the children. I stated that you were anxious to avoid the separation of two races in the class room, and that the difficulties that existed arose in connection with the application of these principles. I explained to the delegates that these ideas could be carried out under the proposed scheme with little division of classes and with little if any duplication of staff.

It was evident during the discussion that the difficulties centred round Section 15 of the Act. One of the delegates asked if my proposals applied to Section 16, that is, to classes above Standard IV. I pointed out that we were dealing with actual difficulties and that as regards Section 16 no difficulties existed, inasmuch as provision is made for exemption from the dual

medium for three years in the case of children above Standard IV., and that every application has so far been granted. Some one asked what was to happen after the three years, and it was pointed out that the Act also makes provision for exempting children after that period for adequate reasons.

As regards the restrictions which you said were to apply to the proposals, I have already pointed out that my suggestions were made to meet the practical objections raised in connection with Section 15 of the Act. They were not required to apply to Section 16, as difficulties of medium have not arisen in classes above Standard IV. Restrictions Nos. (2), (3) and (4) are not in any way inconsistent with the proposals. They are supplementary provisions, and were introduced, I presume, on account of the fact that the delegates spoke only as representing the English-speaking portion of the population. Any misunderstanding that has arisen is confined, accordingly, to Restriction (1), in which you limit the proposals to "the larger town schools where the English-speaking children predominate and the Committee desires their application." We did not discuss this point at our interview, but, I did not intend my proposals to be so restricted, nor were the delegates at the meeting on the 8th led to understand that this restriction would be applied. As a matter of fact, however, the difficulties have been mainly in connection with the larger towns, and the delegates themselves in resolution (2) passed on the 23rd of November recommend that "where practicable, and *essentially in the larger town schools*, the mother tongue be the sole medium of instruction unless otherwise desired by the parents," which shows that they appreciated that fact. My proposal, though expressed in such general terms as to give it some flexibility, was intended to provide a means of dealing with existing difficulties, and as these difficulties were admitted by both sides to be confined mainly to the larger towns, the range of its application in practise would be limited accordingly.

I regret that any misunderstanding should have arisen in regard to this matter, and it would doubtless have been avoided if we had had more time to discuss the question in greater detail at our interview on the 6th February.

H. GUNN,
Director of Education.

Bloemfontein,
3rd March, 1910.

(Note.—The above memo. was printed 3rd by the Attorney-General.)

(2.)

Government Offices,

Bloemfontein, O.R.C.,

4th March, 1910.

Memo to

DIRECTOR OF EDUCATION.

Attorney-
General to
Director of
Education.

I shall be glad if you will let me know what has been done by you in regard to the matter of your interview with the delegates to the Education Conference during my absence last month and with regard whereto I had an interview with you on the 1st inst. I pointed out to you that it was necessary that you should as soon as possible give publicity to the fact, which you admitted to me as correct, that when I authorised you to meet the delegates during my absence, in case they desired to re-open the discussion, you were fully aware of my intention that whatever scheme was advised by the delegates as constituting a satisfactory solution of existing differences, it would be accepted by me only subject to the conditions that such scheme was to apply to Standards I. to IV. only, and that it was to be restricted to certain of the larger town schools; and that consequently if the delegates with regard to these restrictions were left under a wrong impression after their interview with you, the fault was not mine. At the said interview, on the 1st, you informed me that not only did you know of my intention as above stated but that the restriction of the scheme, submitted by you to the delegates, to Standards I. to IV. was actually by you brought to the notice of the delegates at your interview with them in the office of the Governor during my absence. In justice to yourself and to me mention should be made of this by you in any statement made.

I wish, however, to point out to you that although you admitted to me that I was right in demanding from you a public statement to the above effect and left me under the impression that you would at once issue such a statement, as far as I am aware nothing has yet been done by you in the matter; and the false impression as to what my instructions were, caused by the misrepresentations and false inferences of newspapers are allowed to go on spreading and to grow into convictions. I must, therefore, urgently impress upon you the necessity of immediately

giving a full statement to the Press of the facts as above set forth and admitted by you. I shall be glad, however, to have it submitted to me before being handed over for publication.

J.B.M.H.

(3.)

Government Offices,

Bloemfontein, O.R.C.,

4th March, 1910.

Memo to

ATTORNEY-GENERAL.

I am in receipt of your minute of to-day's date. I forwarded Director of Education to Attorney-General. you my statement yesterday, and I cannot understand how it did not reach you before you wrote your minute.

At our interview on the 1st, I expressed my regret at the construction put upon this matter by the Press, and I stated my desire to submit to you a statement of what occurred in connection with these negotiations, and you agreed with this suggestion. I told you that there could be no misunderstanding as to the classes above Std. IV., but I distinctly stated that I did not understand—and did not lead the delegates to understand—that my proposals were to be limited by the first restriction which you laid down.

I went entirely by the document which I submitted for your approval, and, as I pointed out in my statement, any misunderstanding that has arisen concerns the number of schools to which the proposals should apply.

I need hardly say that I am very disappointed as to the result of these negotiations which were undertaken with the best of intentions on the part of all concerned, and I should deeply regret if the public discussion of a matter which is after all a side issue should lead to embitterment of feeling. Though there has been some misunderstanding about one point, I do not see why it should lead to indiscriminate charges of breach of faith and so render still more difficult the attainment of a satisfactory solution of our educational problems.

H.G.

(4.)

Government Offices,

Bloemfontein, O.R.C.

Memo to

DIRECTOR OF EDUCATION.

Attorney-
General to
Director of
Education,

Your minute of 3rd inst. *re* proposals and negotiations with the delegates at the meeting on the 8th February, 1910, was found in my basket subsequent to your minute of this day in reply to mine of this morning, and must have been placed there during the course of the morning without my knowledge and without my expecting to find it there. I say without my expecting to find it there, although I see you say in your memo of to-day "I stated my desire to submit to you a statement of what occurred in connection with these negotiations, and you agreed with this suggestion." Now I must emphatically deny that you expressed or stated such a desire or that I agreed with such a suggestion. No suggestion was ever made by you at our interview and no desire expressed to that effect. What occurred at that interview, which I held with you for no other purpose than to point out the necessity for you to publicly make a statement as set out in my minute of this morning to you, was the following:—I laid before you the *Post* of the 28th ult. and showed you a letter from Mr. Drew and an extract from an article in the *Leader*, and further mentioned to you that Mr. Rabie from the *Friend* had been to see me the previous evening to impress upon me the necessity of making a statement because of the seriousness of the attacks which were being made upon me in the Press. I told you that I had informed him that I was not going to make any statement, but that nevertheless I felt that it was time that a correct statement should be made, but that it should be made by you as the only one of us who was present at the meeting with the delegates on the 8th and knew what took place there; and as another reason why you should do it I pointed out to you that you knew very well that I never at any time intended that the scheme should be extended beyond Standards I. to IV. nor that it should go further than certain larger town schools. You admitted that you knew that such was my intention, but stated that you were not aware at the time when you had the interview with the delegates that I intended to restrict the scheme to such larger town schools *as have a majority of English-speaking children*, adding that you had later on seen that in my statement of 1st February I had laid down that restriction. I admitted that you may have forgotten this

further restriction, but pointed out to you that you could not have been ignorant of the restriction in its wider form, i.e., confining the scheme to certain *larger town schools* as it was you who advised me that such a concession would meet the wishes of the delegates. You admitted this and upon my repeating that I wanted you to give publicity to your knowledge of these restrictions as being intended by me, you said: "I admit that you have the right to ask me to do this." These words you again repeated just prior to leaving the office, while already standing near the door.

Under these circumstances you will, I hope, see that your statement quoted above is not correct and that it was never contemplated that your explanatory statement should be directed to me, instead of being sent to the newspapers, and I must insist that you immediately explain the situation through the medium of a newspaper mentioning your acquaintance with my intentions as to applying the restrictions mentioned to the scheme submitted by you to the delegates, if approved by them.

I shall abstain from making any further remarks here with regard to your minutes of to-day and yesterday, only adding that I am not prepared to admit your statement in the latter that "Any misunderstanding that has arisen is confined accordingly to restriction (1), etc., " i.e., *re* larger town schools. You are well aware that the delegates at the conference on the 8th did not so confine their "misunderstanding," but that their contention was that they had been led to believe that the scheme was to be adopted purely as drafted by you without any restriction either with regard to Standard or class of school, and that both these restrictions were in conflict with that draft. That too is the position taken up by the newspapers.

There are other points in your minutes mentioned which are of importance and may require explanation later, but for my present purpose I may be allowed to pass them by. I hope, however, you will see the necessity of complying with my request as contained in my minute of this morning and herein repeated.

4th March, 1910.

J.B.M.H.

Forwarded 5th March, 1910.

(5.)

Education Department,

Bloemfontein,

7th March, 1910.

THE HONOURABLE THE ATTORNEY-GENERAL,—

Director of
Education
to Attorney-
General.

In reference to your minute, which I received on the 5th inst., I regret that I am unable to agree to what you state transpired at our interview on the 1st inst. You began by saying that you wanted to speak to me about an article that appeared in the *Post*, and I then immediately told you that I wanted to speak to you about the same matter, that I was extremely annoyed at what occurred and that I wished to make a statement about the whole affair. That was at the very beginning of the interview. I never understood for one moment that you expected me to take the unusual course for a civil servant of making a statement to the press, but I did understand that you were to make a statement in view of Mr. Drew's letter and Mr. Rabie's visit to you. I must also respectfully point out that I have no recollection of using the words which you say I repeated when about to leave the office. What I did say was that, as you said you had these limitations in view all along—though I did not understand that—you were entitled to make such a statement. To show that such was my understanding I may say that on my return to my office I immediately—on the same forenoon—dictated to a shorthand writer my statement of all the circumstances relating to the meeting with the delegates and addressed it to the "Attorney-General." Pressure of work did not allow me to revise and forward it till the 3rd.

I must also respectfully take exception to what you say in both your minutes about my admitting that I knew you intended these restrictions to apply. At our interview of the 6th February I produced my proposals in writing, two portions were deleted by you, and the document which is amongst the registered papers was approved. I did not understand that there were to be any restrictions, and no such restrictions were mentioned at our interview. I need hardly point out that the Conference had already met twice, and that it broke up on the 1st of February in anything but a satisfactory way. It is true that you in your proposals on that day mentioned most of these restrictions,

but the Conference had already rejected the offer, and my object in submitting to you an alternative plan was to get some solution that both sides would accept.

As further evidence that I never anticipated that any restriction would be added, I may refer to the draft statement which I prepared with your consent, and which was intended to be read by you to the delegates on the 21st February. A copy of that draft, which I submitted to you on the 19th is included amongst the papers on this subject, and there is no mention of any restrictions in it. You said on reading it that it gave the impression that you had taken the initiative in re-opening the negotiations, and that you would have to amend it. On Monday morning the 21st—the day on which you met the delegates—you sent your statement to be typed, and it contained the restrictions. I saw you about the matter before you met the delegates, I told you that I laid down no restrictions in treating with them, but I said to you then, as I said to the Conference later in the same day, that Nos. (2) (3) and (4) made no real difference. I, however, pointed out to you that the delegates were entitled to repudiate their acceptance on account of No. (1), as I did not lay it down as a condition at the meeting at which the Governor presided. This is what actually happened when you met them a few hours later.

I was appointed by you to meet the delegates and I had my proposals in writing and as I thought in a finally approved form. I now find that there has been a certain amount of misunderstanding but I cannot admit that I am in any way to blame. I regret, therefore, that I cannot conscientiously make the statement you ask. It would not be in accordance with what I understood, and it would be tantamount to saying that I withheld certain vital information from the delegates.

I may be permitted to add that while in justice to myself I have had to make my position clear, I feel that there has been an unfortunate though genuine misapprehension in this matter, and I shall be glad to submit for your approval, if you still think it desirable, a draft statement for issue to the press setting forth what has happened and stating that there has been a misunderstanding as to the extent to which the accepted proposals would apply.

H. GUNN,

Director of Education.

(6.)

Government Offices,

Bloemfontein, O.R.C.

Memo to

DIRECTOR OF EDUCATION.

Attorney-
General to
Director of
Education.

Your memo of yesterday received. I note your inability to agree with me as to what transpired at our interview on the 1st inst., as also the exception you take to my saying in my previous minutes that you had admitted that you knew that I intended the restrictions to apply. While I still maintain the correctness of the occurrences and facts as stated by me, I do not think it advisable to go further into details at present, in order that the main point at issue between us may not thereby be further obscured, to wit: the right I claim to demand from you, under the circumstances, a public acknowledgment, or such an acknowledgment as I can publicly use, to the effect that when I authorised you the evening before my departure for Smithfield, to meet the delegates, you were fully acquainted with my intentions that the draft scheme submitted by you first to me and thereafter to them, was to apply to Standards I. to IV. only, and that it was to be restricted to certain of the larger schools; and that if after their interview with you the delegates were left under a wrong impression in regard to the application of these restrictions to the proposed scheme, the fault was not mine.

I note that you say: "I shall be glad to submit for your approval, if you still think it desirable, a draft statement for issue to the press setting forth what has happened and stating that there has been a misunderstanding as to the extent to which the accepted proposals would apply." In reply thereto I wish to tell you at once, that no such statement not containing an acknowledgment by you to the effect as above repeated will satisfy me. Your reason given for not complying with my previous request to that effect, viz., that "it would not be in accordance with what" you "understood," I cannot, for reasons already given, accept. Your further reason for not doing so, viz., that if you did comply with my request, "it would be tantamount to saying that" you "withheld certain vital information from the delegates," cannot relieve you of your duty towards me to state the facts of the case correctly as you knew them and as I am prepared to undertake to prove that you did know them.

As you can understand that it is of the greatest importance to me that the public should with as little delay as possible be made acquainted with these facts and your knowledge of the same, and that I had never at any time given you any reason to infer that I had changed my intentions or would change my mind with regard thereto, I must now ask that you reply to me definitely, not later than Thursday forenoon, whether you are prepared to make the statement requested or not.

In conclusion I may be allowed to remark that again in your account as to what transpired between you and me on Monday morning the 21st ult., there are several statements which are not correct. As, however, no good purpose can be served thereby, I abstain at present from any comment thereon.

J.B.M.H.

8th March, 1910.

(7.)

Education Department,

Bloemfontein, O.R.C.,

10th March, 1910.

THE HONOURABLE THE ATTORNEY-GENERAL.

In reference to your minute of the 8th instant, I regret the attitude which you have taken up in this matter. You ask me to make a statement which I have definitely told you I cannot conscientiously make. I think it will be apparent from what I have said in my statement of the 3rd instant and from subsequent minutes that I did not consider the proposals to be subject to any restrictions, and I think that you should have accepted my word in regard to the matter just as I accepted your statement that you meant the restrictions to apply, though I did not understand that.

Director of
Education or
Attorney-
General.

I desire to draw your attention specifically to the fact that on the morning following the Conference I sent you a telegram which began: "At a meeting yesterday eight of delegates were present and after a full discussion of difficulties they accepted the statement agreed upon between you and me and passed the following resolution:—" which clearly shows that I went by the approved proposals. I received no reply to that telegram.

I must also point out that after the proposed solution had been accepted by the delegates on the 8th February, and after a letter had been sent out by the Chairman of the Conference to the delegates who were absent enclosing a copy of the statement and resolution, a report of a speech made by you on the 7th February at Reddersburg appeared in the *Friend* on Wednesday the 9th. Two of the local delegates, Dr. Ward and the Rev. Canon Orford, thereupon came to see me about the matter, and they pointed out that one of the statements alleged to have been made by you, namely, that you would not go back one step in this matter, or words to that effect, altered the situation as regards the acceptance of the proposals put forward on the preceding day. I suggested to them that they should go to the Governor's Office and get his Private Secretary to telegraph their views to His Excellency, as it was understood that the Governor and you would meet at Smithfield on the 10th. I understand that this was done, and that His Excellency after discussing the matter with you replied by wire that the delegates should proceed as had been decided upon at the meeting on the 8th.

Apart from my personal assurance on the subject, I feel that there is adequate documentary and other evidence to show that I did not consider that my proposals of the 6th February were subject to any further conditions than those contained in their provisions:—(1) There is the statement as approved by you with two deletions, but without any additions; (2) there is the statement I made to the delegates, which I am sure His Excellency will confirm as well as the report which I have made in regard to what happened at that meeting; (3) there is my telegram to you on the 9th; and (4) there is my draft statement prepared for you to read at the final meeting on the 21st; none of which contains any reference to further restrictions. I of course accept your view that you understood these restrictions were to apply, but I must respectfully but firmly object to the implication, which is apparently contained in your minutes, that I was cognisant of your intention to add these restrictions and did not inform the delegates.

I have clearly set forth in considerable detail what happened in connection with these negotiations, and I must definitely state that any assertion or implication made by you to the contrary to what I have stated is in no wise admitted by me though I may not specifically have taken exception to it. I deeply regret that you should have considered it necessary to address minutes of this kind to me, after what I have distinctly told you both per-

sonally and in writing, and I shall welcome any independent inquiry that will assist in elucidating how the misapprehension has arisen.

I regret accordingly that I can add nothing further to what I have already said in my statement of the 3rd inst. It is there pointed out that the discussions were concerned only with Section 15, as there is no difficulty above Standard IV., and I have also explained there that the difficulties have been mainly confined to the larger town schools, but as I have already pointed out, while my scheme was intended to meet these difficulties, I did not understand that further restrictions were to be laid down. Had I so understood I should have asked that these conditions be added to the others in the approved document.

H. GUNN,
Director of Education.

(8.)

DIRECTOR OF EDUCATION.

I am in receipt of your memo of the 10th in reply to mine of 8th instant and note that you decline to give effect to my request as contained in my previous minutes. The only course now open to me, in order to protect myself against your wrongful conduct, is to report the same to the proper authorities for the taking of such measures as they may deem necessary. No doubt before any decision is made you will be given an opportunity to offer any explanation which you may deem necessary and in order that you may be in a position to meet the complaints that I have to make, I take this opportunity of repeating them to you, to wit:—

1. That in your negotiations with the education delegates on the 8th of February last you acted contrary to, or at least ignored what you knew to be my intention, viz., that the draft scheme submitted by you was to apply only to Standards I. to IV. and that it was to be restricted to certain of the larger town schools;
2. That when called upon to make admission of that knowledge in order that by so doing you might protect me against the consequences of your wrongful action or neglect, you refused to do so.

J.B.M.H.

12th March, 1910.

(9.)

Government Offices,
Bloemfontein, O.R.C.

Memo to

ATTORNEY-GENERAL.

Director of
Education to
Attorney-
General.

In reference to your memo of the 12th inst. I must express my astonishment that you should formulate such a charge against me, and I respectfully request that I may be afforded the earliest possible opportunity of vindicating my character.

H.G.

15th March, 1910.

EXPLANATORY NOTES.

1. *In the papers as published by the Attorney General a minute is inserted here, dated 16th March, from him to the Prime Minister, submitting the correspondence for the consideration of the Cabinet. He says that "unless Mr. Gunn can satisfactorily explain his conduct I shall feel obliged to advise that his services can no longer be retained in the responsible position at present occupied by him."*

After receiving notice to meet the Cabinet, the Director asked for the Minute jacket containing the correspondence (which belonged to his own office) to be returned for his perusal. This was not done—clearly in order that he might not see the above Minute which was doubtless written on the jacket—but the whole correspondence was typed and a copy sent to him. The first time the Director saw the Minute was on the 4th April, after he had resigned and after the papers were submitted to Parliament. It will be noted that the papers, as asked for by the House and as printed by the Attorney-General, are called "Correspondence and Minutes between the Attorney-General and the Director of Education." That, however, did not prevent the Attorney-General, when it suited his purpose, from including among the papers both the Minutes which passed between himself and the Prime Minister, and also another remarkable piece of so-called evidence—a slip of paper with unintelligible notes in pencil without date or signature, which he alleged he found in his house several days after the 6th February, and which he said he took down to the Director's dictation. The Director did not dictate anything of the kind, but he did explain how teachers could be interchanged between classes for various subjects. The Minister maintained that this document showed the restriction as to classes, but from certain figures written on it, the reverse, if anything, might be

proved. Besides, if the Minister had the restrictions clearly in his mind at the time, he has to explain why he did not add them to the other conditions in the written proposals which, after alteration, he approved.

On the other hand a Minute, dated the 31st March (No. 12), which the Director addressed to the Prime Minister and which he asked to be published, was withheld by the latter on the ground that it did not come within the terms of the motion "Correspondence and Minutes between the Attorney-General and Director of Education." In effect, the Prime Minister and the Attorney-General, as happened to suit their case, included among the published papers certain documents which had not passed between the Attorney-General and the Director and which therefore were not covered by the motion, and excluded others which were equally relevant and which the Director asked to be specially included.

2. As explained in Part I. of this Pamphlet (vide p. 30), the first and only meeting of the Cabinet on the 21st March was occupied by General Herzog in recalling his policy, statements, interviews, and private conversations to prove that he had the restrictions always in view, and could not therefore commit a breach of faith. Though he was nominally attempting to justify his complaints against the Director, General Herzog was only too plainly engaged in defending himself, and the Director, beyond expressing his disagreement at various times with the statements made by the Minister, had no opportunity of replying. The Prime Minister took the line that the Director must have known that the Attorney-General never gave and was not likely to give any indication of resiling in the least from his position or of making such concessions to the minority. The Director's subsequent interviews were with the Prime Minister, and he did not meet the Cabinet again. For the reasons stated in Part I., the Director wrote the following minute and letter (Nos. 10 and 11) which though addressed to the Attorney-General were handed to the Prime Minister.

It has to be noted that there is one condition in Restriction (1), namely, "That they (the Director's proposals) are to be applied only where the Committee desires their application," which General Herzog has not claimed that he referred to previously either in writing or in conversation.

At the same time, from the strong asseverations made by General Herzog at the Cabinet meeting and at other times, the Director felt that he must have had these restrictions, though unexpressed, more or less dimly in his mind. He was also anxious to go as far as possible in extricating the Minister from his difficulties.

(10.)

Education Department,

Bloemfontein, O.R.C.,

26th March, 1910.

THE HONOURABLE,

THE ATTORNEY-GENERAL.

Director of
Education to
Attorney-
General. (Sent
to Prime
Minister).

With reference to our correspondence regarding the Education Conference and the criticism to which you have been subjected in consequence of the breakdown of negotiations, I desire to state that I think the trouble has arisen through a regrettable misunderstanding between us, for which I am prepared to take my full share of responsibility.

At the interview between us on the 6th February, I submitted to you my proposals, and on the 8th, as approved they were laid before the delegates. Of the restrictions afterwards added by you two were considered to have affected the proposals as submitted to the delegates by me. In regard to one of them, Restriction No. (2), which limited the application of the proposals to Standards I.-IV., I desire to point out that there can be no misunderstanding, as I told the delegates that the proposals applied only to Section 15 and not to Section 16, i.e., to classes over Standard IV. As regards the other restriction, i.e., the one in connection with the larger town schools, while my proposal was couched in general terms it was only intended to refer to anticipated difficulties, and these were concerned mainly with the larger town schools where there was a considerable number of English-speaking children. This limitation was not discussed at our interview, but in your previous statements you did refer only to larger town schools in connection with the English-speaking children, and the delegates in the resolution of the 24th November also referred to the larger town schools.

I have now no doubt in my mind that at the time when my proposals were accepted by you you assumed that I understood that you intended them to apply only to the larger town schools, I consider therefore that any charge of breach of faith on your part is without justification.

(Sgd.) HUGH GUNN,

Director of Education.

(11.)

Education Department,

Bloemfontein, O.R.C.,

26th March, 1910.

SIR,—

In view of the misunderstanding which has recently occurred between us in connection with the Education Conference, I have come to the conclusion that it is impossible for you and me to act together in future with that harmony and co-operation which are so essential for the proper discharge of my duties as Director of Education.

I also feel that the views which I hold, and which I have expressed to you, regarding some of the provisions contained in the educational legislation at present before Parliament will still more accentuate the difficulties of administration, and I think it is only fair to both of us as well as to your policy that these provisions should be put into operation by some one who is more in sympathy with your ideals.

I consider accordingly that I should retire from my post, and I shall be glad if you will submit the question for the consideration of the Cabinet.

I have, etc.,

(Sgd.) HUGH GUNN.

THE HONOURABLE,

THE ATTORNEY-GENERAL AND

MINISTER IN CHARGE OF EDUCATION.

Prime Minister's Office,

Bloemfontein,

26th March, 1910.

SIR,—

I am directed by Mr. Fischer to inform you that your letter of the 26th instant directed to the Hon. the Attorney-General as Minister in Charge of Education, was as therein requested by you submitted to Ministers, who having considered the same have

Director of
Education to
Attorney-
General. (Sent
to Prime
Minister.)

Clerk of
Cabinet to
Director of
Education.

instructed me in reply to communicate to you their resolution thereon as follows:—

“ Ministers having ascertained from the Hon. the Attorney-General that he shares the conclusion arrived at by the Director of Education, as set forth in his letter under consideration, that the provision of the Education laws should be put into operation by someone more in sympathy therewith, expresses their concurrence in the view and in the request of the Director of Education that he should be allowed to retire from his post.”

I have, etc.,

(Sgd.) H. C. VAN BREDA,

Clerk of the Cabinet.

HUGH GUNN, ESQR.,
Director of Education,
Bloemfontein.

26th March, 1910.

DIRECTOR OF EDUCATION.

Prime Minister
to Director
of Education.

Your Minute of 26th inst. to the Hon. the Attorney-General (regarding the proposal submitted to the Education Conference and the criticisms and complaints arising therefrom) has been submitted to Ministers for their consideration.

Ministers have resolved, under all circumstances of the case, to accept your explanation as set forth in that minute and, offering no further comment thereon, to consider the subject closed thereby.

(Sgd.) A. FISCHER.

3. The last two communications (Nos. 10 and 11) from the Director were laid on the table of the House by the Prime Minister on the 30th March, but all the rest of the correspondence was withheld, though there is a distinct reference to such correspondence in Minute 10. The Attorney-General made the same afternoon the occasion for answering certain questions which he had put off several times. In his answers he stated that any mis-

understanding which had occurred was in no way due to him, and to all practical purposes he threw the whole blame on the Director. The position accordingly was that the Director by his minute endeavoured to exonerate the Attorney-General, and the Attorney-General in his answers endeavoured to assist him—by throwing the blame on the Director! Naturally, the result of the synchronous actions of the Prime Minister and Attorney-General, so skilfully arranged, was to create a wrong impression throughout the country regarding the Director's position in the matter. Next day the Director addressed the following minute to the Prime Minister:—

(12.)

Urgent.

31st March, 1910.

THE HONOURABLE,

THE PRIME MINISTER.

In reference to the interviews which I had with you after the Cabinet meeting, and to my Minute of the 26th instant, I desire to point out that the answers given by the Attorney-General to questions put to him in Parliament yesterday are calculated in certain respects to give an erroneous and misleading impression regarding my connection with the negotiations of the 8th ultimo.

I understood from our interviews that the object of our discussions was concerned with exonerating the Attorney-General from a charge of breach of faith which had been brought against him, and which he considered was doing him harm in the eyes of the public. After considerable discussion I said that I was prepared, after what the Attorney-General had so strongly stated, to admit now that these limitations were doubtless in his mind, though they were not stated by him at our interview on the 6th instant, when I submitted the proposals which, after alteration, he approved. I accordingly, after consultation with you, wrote him a minute in which I stated that in my opinion it was a case of misunderstanding, for which I took my full share of responsibility, and that I did not think there was any justification for a charge of breach of faith against him.

His answers, however, to the questions put to him in Parliament would appear to imply that I exceeded my authority, and that I am entirely responsible for the misunderstanding. After what I have so distinctly told him, both personally and in writ-

ing, I consider that such implications are highly unjust and should not be made without acquainting the public with my views on the matter. I think, accordingly, that in justice to an official who is unable to rebut publicly these implications, as well as to the Minister himself, all the correspondence on this subject together with all documents referred to in such correspondence as well as this memo should be made public with as little delay as possible.

I shall therefore be glad if the Government will see its way to comply with my request.

(Sgd.) HUGH GUNN,

Director of Education.

4. On the 4th April the Attorney-General, without any reference to the Director, supplied the Members of the House with what he was pleased to call "Correspondence and Minutes between the Attorney-General and the Director of Education." The Director was in no way consulted regarding the papers to be printed; he could receive no information regarding them when he personally enquired on the 2nd, and he received a copy officially only four hours after they were supplied to the Members—and that only after he had written officially for a copy to the Prime Minister. The papers were selected, arranged and sub-edited by the Attorney-General, and it apparently never occurred to him that the other party to the dispute had any rights in the matter on the grounds either of courtesy or of equity. The papers contained two Minutes which the Director had never seen or heard of, and they did not contain a Minute (No. 12) which he expressly asked to be included. The debate in Parliament on the question was to begin about 3 p.m. on the following day, the 5th, and in order to prevent a repetition of what happened on the 30th March, the Director addressed a letter to the Speaker which he asked to be read to the House. This letter was not, however, read without attempts being made to put the matter off. As a specimen of the methods adopted, the story is interesting, but the writer will confine himself to stating that before it was read, six official communications passed between the Prime Minister, the Speaker and himself in less than six hours on the 5th. In addition he had four interviews during that period—one of them with the Prime Minister. He succeeded in getting the letter read to the House at 6 p.m. The following are its contents:—

(13.)

5th April, 1910.

Sir,—

I have the honour to approach you in connection with certain "Correspondence and Minutes between the Attorney-General and the Director of Education," which has been printed by the Government and laid upon the table of the House.

As one of the parties concerned, I have to point out that the correspondence, as regards an addition and some omissions, as well as in some other respects, does not properly represent the true position, and, as I have been informed from the Prime Minister's Office that the papers, having been laid on the table of the House, are in the hands of the Speaker, I respectfully request you, as a matter of urgency, to submit this letter to the House, in order that my side of the case may be properly represented.

The papers to be printed were, I understand, selected by the Attorney-General, and though I asked on the 2nd instant that I should be shown the papers to be published or told what they included, I could not obtain the information. I was told by the Private Secretary to the Prime Minister that, having been laid on the table, they were in the custody of the Speaker. When the Clerk of the House was appealed to he said that they could not be given as they were with the printer. It was only after making special application that I received a copy late yesterday afternoon.

In connection with the printed correspondence I desire to state:

1. The first document printed is not amongst the registered papers of the Department. The heading to it contains a statement which is false. It is, I presume, a copy of some notes written in pencil on a slip of paper which the Attorney-General produced for the first time at the Cabinet meeting on the 21st ultimo, and which he alleges was written by him on the evening of the 6th February when I submitted to him my proposals. The document, if it may be called such, was never brought forward as far as I am aware in any way, official or otherwise, until the Cabinet meeting, and cannot be recognised by me.

2. The first registered document among the papers—my proposals as altered by the Attorney-General on the 6th February—is withheld. This document should have appeared first.

3. A memo which I addressed to the Prime Minister on the 31st March, and which I asked to be made public with the correspondence is withheld. A copy is attached.

4. The order of memo (No. 1) and my statement (No. 3) should be transposed. My statement dated 3rd March reached the Attorney-General's office on that day, but a minute written by him on the following day is printed before it, thus creating a wrong impression.

5. The headings to the correspondence in some cases give wrong implications.

I consider accordingly that the facts are not properly represented to Parliament and to the public, and I respectfully request that this communication be brought under the notice of the House, and that it as well as the annexure be given the same publicity as has been given to the rest of the correspondence.

I shall be glad if you will give me your reply this forenoon, as I consider it necessary that the wrong impression which has gone abroad should immediately be removed.

I have, etc.,

(Sgd.) HUGH GUNN,

Director of Education.

THE HONOURABLE,

THE SPEAKER OF THE

HOUSE OF ASSEMBLY.



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